UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA

NEWPORT NEWS DIVISION

In Re:	Case No.: 21-50907-FJS
MIGUEL ANGEL SOSA AVILA A/K/A MIGUEL ANGEL SOSA	Chapter 13
Debtor.	
ELIZA SOSA, in her capacity as Beneficiary of the ESTATE OF JUAN SOSA AVILA	
Plaintiff,	
v.	APN
Miguel Angel Sosa Avila A/K/A Miguel Angel Sosa	
Defendant.	

COMPLAINT TO DETERMINE NONDISCHARGEABILITY OF DEBT [11 U.S.C. § 523(a)(2)]

COMES NOW, plaintiff ELIZA SOSA, (Eliza) in her capacity as beneficiary of the Estate of Juan Sosa Avila (the "Estate"), by counsel, pursuant to 11 U.S.C. §523(a)(2) and submits this complaint to determine the non-dischargeable nature of the fiduciary debt(s) now owed, or hereafter determined to be owed, to the Estate by defendant Miguel Angel Sosa Avila on the following grounds:

Parties

- 1. The Plaintiff, Eliza Sosa, ("Eliza Sosa") is the widow of Juan Manuel Sosa Avila ("Juan Sosa") and is a resident of Mexico. Pursuant to Virginia Code § 64.2-200(A)(1), Eliza Sosa is the intestate successor of Juan's Estate.
- 2. Juan Sosa died intestate in the course of his employment on May 28, 2003, as a result of a commercial fishing accident.

- 3. Miguel Angel Sosa Avila ("Miguel Sosa") is a resident of Hampton. Miguel Sosa was the brother of the decedent and was married to the Administratix of the Estate, Michelle Sosa ("Michelle Sosa"), at the time of the events described in the Complaint.
- 4. On December 08, 2021 (the "Petition Date"), Miguel Sosa filed with this Court a voluntary petition under chapter 13 of the United States Bankruptcy Code.
- 5. R. Clinton Stackhouse, Jr. has been appointed to serve as trustee for the Debtor's chapter 13 estate, pursuant to 11 U.S. Code § 1302.

Jurisdiction and Venue

6. This Court has jurisdiction over this "core proceeding" pursuant to 29 U.S.C §§ 1334(b) and 157(b)(2)(I). Venue properly lies in this district by virtue of 28 U.S.C. § 1409(a). This is an "adversary proceeding" with the meaning of Rule 7001(6) of the <u>Federal Rule of Bankruptcy</u> <u>Procedure.</u>

Factual and Procedural Background

- 7. Paragraphs 1 through 6 are incorporated by reference to this Section of the Complaint.
- 8. Juan Sosa Worked as a fisherman and died in course of employment on May 28, 2003, as a result of a commercial fishing accident. Juan Sosa died intestate, and left Eliza as his heir at law. This heir was listed by the Administratrix in her qualification Papers. At the time of his death, Eliza resided in Mexico.
- 9. Pursuant to the law of intestate succession, Juan Sosa surviving widow inherited his Estate. See Va. Code § 64.2-201. When Juan Sosa died, based on U.S. immigration law and a lack of funds for travel, Eliza Sosa was unable to come to the U.S. in order to qualify as the Administratrix of the Estate of her husband. Under these circumstances, Michelle Sosa assumed

the duties of Administratrix.

- 10. When he was not away for his job, Juan Sosa lived with his brother Miguel Sosa. Following Juan Sosa's death, Miguel Sosa and his wife, Michelle Sosa, took charge of Juan Sosa's personal affairs. After Michelle Sosa became the Administratrix of Juan Sosa's Estate in Hampton, Virginia, Michelle Sosa named Eliza Sosa as heir at law of Juan Sosa's Estate which she valued at less than \$10,000. (See Exhibit 1.) This exempted her from the bond. (See Exhibit 2.)
- 11. Based on information and belief, on January 27, 2004, as part of an insurance payout resulting from Juan Sosa's death, the law firm of Hunton & Williams issued a three-hundred thousand dollars (\$300.000.00) check to Michelle Sosa payable to the Estate account in the Bank of America in Norfolk, Virginia. (See Exhibit 3).
- 12. After depositing the check into the estate account, Michelle removed the funds from the estate account. Michelle Sosa Avila in conjunction with Miguel Sosa Avila used those funds to purchase the real estate holdings listed in the debtor's Chapter 13 Plan and listed in this Complaint in paragraph 13 below.
- 13. Miguel Sosa converted the \$300,000 payment made to the estate of Juan Sosa to his own use. Specifically using the proceeds to buy the following properties:
 - A. 253 Beauregard Heights, Hampton, Virginia
 - B. 1269 N. King St, Hampton, Virginia
 - C. 112 Beverly Street, Hampton, Virginia
 - D. 329 Walnut Street, Hampton, Virginia
 - E. 400 Cedar Drive, Hampton, Virginia

- F. 431 Walnut St, Hampton, VA
- 14. On February 9, 2015, Eliza Sosa, by counsel filed her Complaint against Miguel Sosa and Michelle Sosa in the Circuit Court of the City of Hampton to seek compensatory damages in the amount of \$300,000 plus costs and fees, and \$350,000 in punitive damages. (See Exhibit 4).
- 15. Subsequently, on March 26, 2018, the Court granted default judgment in favor of Eliza Sosa, and Ordered judgment against Miguel Sosa, in the amount of \$300,000 with interest from February 5, 2004, as well as the costs expended on behalf of Eliza Sosa. (See Exhibit 5).
- 16. The judgment against Defendant Debtor Miguel Sosa was recorded in the City of Hampton Clerk's office on April 9, 2018, with a judgment reference number 18-1321. (See Exhibit 6).
- 17. On February 28, 2019, Eliza Sosa, by counsel, filed a Complaint in the Circuit Court of the City of Hampton to appoint a Commissioner in Chancery in order to enforce the lien of Eliza Sosa's judgment against Miguel Sosa and submit a report on the properties listed in paragraph 13. (See Exhibit 7). Further Eliza Sosa requested that the Court award attorney's fees and costs in connection with the pursuit of this action, to include filing and service fees, title search fees, and the fees and costs of the Commissioner in Chancery appointed, and that the Court award such other relief as deemed just, necessary, and proper. (See Exhibit 7).
- 18. On June 5, 2020, Eliza Sosa, by counsel, motioned the Circuit Court of the City of Hampton for Entry of a Decree of Reference and the Court appointed J. Robert Harris, III, Esq. as a Commissioner in Chancery to report on the properties listed in paragraph 13. (See Exhibit 8). Accordingly, the Court granted the motioned and entered a Chancery Decree of Reference on August 12, 2020. (See Exhibit 9).
- 19. Commissioner Harris submitted his Report to the Court on June 14, 2021, recommending that the Plaintiff's relief be granted and that a Special Commissioner be appointed for the purpose of selling the Properties by means the Special Commissioner, with Court approval

deems appropriate to obtain the highest value from the Properties which are to be applied to the Special Commissioner's fees and toward payment of the Judgement. (See Exhibit 10).

- 20. On September 30, 2021, Eliza Sosa, by counsel filed a Motion for Decree Confirming Commissioner's Report and Ordering Sale. (See Exhibit 11). On December 6, 2021, the Court granted the Motion and Ordered the Sale of the properties listed in paragraph 13. The Court appointed Greg Blanchard, Esq. as Special Commissioner to oversee the sale of the properties.
- 21. Miguel Sosa filed a Notice of Bankruptcy Case Filing on December 8, 2021, staying the collections actions in Circuit Court of the City of Hampton.
- 22. Inclusive of interest, accruing at the statutory six percent (6.0%) per annum judgment rate (Va. Code § 6.1-330.54), the accumulated sum of \$ 607,211.6 remained due and owing to the Estate (and derivatively to the Beneficiary, Eliza Sosa) as of the Petition Date, exclusive of additional post-judgment attorney's fees, costs and interest accruing from and after the Petition Date.

Requested Relief – Fraud/Defalcation 11 U.S.C. §523(a)(2)

- 23. Paragraphs 1 22 are incorporated by reference to this Section of the Complaint.
- 24. Section 523(a)(2)(A) of the United States Bankruptcy Code excepts from discharge any debt:
 - "For money, property services, or extension, renewal, or refinancing of credit, to the extent obtained by false pretenses, a false representation, or actual fraud, other than a statement respecting the debtor's or an insider's financial condition;"
- 25. Creditor Eliza Sosa suffered a loss as a result of the theft and conversion of funds owed to her by the Administratix. In this case Michelle and Miguel Sosa Avila conspired to deprive Eliza Sosa of her inheritance, then subsequently converted the funds paid for the death of her husband to use these funds for they're own benefit by purchasing the several properties listed in

this Complaint. This conversion by the Sosa's 's Defrauded the widow Eliza Sosa Avila of the funds to which she was intitled under Virginia laws concerning intestate succession. (See Virginia Code § 64.2-200(A)(1)).

26. Eliza Sosa through her counsel, has initiated a criminal investigation of Michelle and Miguel Sosa for embezzlement contained in this Complaint and he allegations have been reported to law enforcement.

WHEREFORE, Eliza Sosa respectfully requests this Court to enter an order determining Miguel Sosa's obligation to the Estate (and derivatively to the Beneficiary, Eliza Sosa) to be nondischargeable: (i) in the amount of \$301,211.06; (ii) PLUS additional interest accruing on the \$300,000 judgment amount of the State Court Order at the judgment rate of six percent (6.0%) per annum from February 5, 2004; (iii) PLUS the additional costs and attorney's fees of incurred by Eliza Sosa or the Estate relative to the filing and prosecution of this complaint; (iv) PLUS such other and further relief as is just and equitable.

NOTICE OF HEARING ON COMPLAINT TO DETERMINE NONDISCHARGEABILITY OF DEBT [11 U.S.C. § 523(a)(2)]

The Creditor has filed papers with the Court for Authority of COMPLAINT TO DETERMINE NONDISCHARGEABILITY OF DEBT.

<u>Your rights may be affected</u>. You should read these papers carefully and discuss them with your attorney if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you want to be heard on this matter, then **on or before twenty-one (21) days from the date appearing on this notice,** you or your attorney must:

[X] File with the Court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

Clerk of Court United States Bankruptcy Court 600 Granby Street, Room 400 Norfolk, VA 23510-1915

You must also mail a copy to:

E. Wayne Powell, Esq. Powell Law Group, P.C. 14407 Justice Rd. Midlothian, VA 23113

Christian D. DeGuzman, Esq. DeGuzman Law, PLLC JANAF Building, Fifth Floor 5900 E. Virginia Beach Blvd., Suite 507 Norfolk, VA 23502

R. Clinton Stackhouse, Jr. Chapter 13 Standing Trustee 7021 Harbour View Blvd., Suite 101 Suffolk, VA 23435

[X] Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. If no timely response has been filed opposing the relief requested, the Court may grant the relief without holding a hearing.

[] ATTEND THE HEARING SET FOR:

TAKE NOTICE that, pursuant to Norfolk Standing Order No. 20-4, the hearing on the COMPLAINT will be conducted remotely by Zoom for Government on ______ at ____ A.M. If you wish to appear at the hearing, please review Norfolk and Newport News Standing Order No. 20-4, available on the Court's website, for more information on how to appear at the hearing remotely.

Please refer to PROTOCOL EXHIBIT 2 for instructions on appearing at the hearing.

To Appear for your hearing, you must email a completed PDF-fillable request for (the "Zoom Request Form"), available on the Court's website at

https://www.vaeb.uscourts.gov/sites/vaeb/files/ZoomRegistration.pdf to: EDVABK-ZOOM-Chief Judge Santoro@vaeb.uscourts.gov

This form must be emailed NO LATER THAN 2 BUSINESS DAYS PRIOR TO THE SCHEDULED HEARING.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought and may enter an order granting that relief.

A JURY TRIAL IS REQUESTED

Respectfully submitted,

ELIZA SOSA

By:

DATED: 1/2022

E. Wayne Powell, Esq. (VSB# 19550)

Powell Law Group, P.C.

14407 Justice Rd.

Midlothian, VA 23113

P: 804-794-4030 F: 804-794-6576

wpowell@ewplg.com

Counsel for Eliza Sosa (Creditor)

CERTIFICATE OF SERVICE

I hereby certify that on this day of February 2022, I caused a true and correct copy of the foregoing document to be electronically filed with the Clerk of this Court using the CM/ECF system, and such notification will be sent to all parties on the service list, including:

Christina D. DeGuzman, Esq. DeGuzman Law PLLC JANAF Office Building 5900 E. Virginia Beach Blvd, Suite 507 Norfolk, Virginia 23502 Counsel for Debtor

R. Clinton Stackhouse, Jr, Esq. Chapter 13 Trustee 7021 Harbour View Bvld. Suite 101 Suffolk, Virginia 23435

John P. Fitzgerald, III, Esq. US Trustee Office of the US Trustee, Region 4-NN 200 Granby Street, Room 625 Norfolk, Virginia 23510

Miguel Angel Sosa Avila 253 Beauregard Heights Hampton, VA 23669 Debtor (Notified via First-Class Mail, Pre-Paid)

Wayne Power, Esq. VSB 19550

LIST OF EXHIBITS

Exhibit#	Date	Description
1	12/31/2003	List of Heirs
2	07/03/2003	Certificate Appointing Michelle Sosa Administratrix
3	01/292004	Hunton & Williams Check No. 3336 for \$300,000.00
4	02/09/2015	Complaint in the City of Hampton Circuit Court
5	03/26/2018	Order For Default Judgement
6	04/09/2018	Docketed Judgment Lien
7	02/28/2019	Complaint in the Circuit Court of Hampton to Appoint a Commissioner in
		Chancery
8	06/05/2020	Motion For Decree of Reference
9	08/12/2020	Chancery Decree of Reference
10	06/14/2021	Report of Commissioner
11	12/06/2021	Motion for Decree Confirming Commissioner's Report and Ordering Sale

Case 22-050	02-FJS Doc 1 Filed 02 0300 Pocumer LIST OF HEIRS COMMONWEALTH OF VIRGIN		3/22 17:11:53 Case No.: 03-651	PLAIN EXHI	TFF'S BIT
	JUAN MANUEL SOSA NAME OF DECEDENT	e under oath that the following are a ADDRESSES PRIVADA REFORMA 323 C CASCAJAL 89290 TAMPICO	COLONY	Decedent: RELATIONSHIP WIFE	AGE
	I/we am/are (please check one): Proponent(s) of the will (no qua Personal representative(s) of the Heir-at-law of intestate decedent Given under my/our hand this third	e decedent's estate it (no qualification within 30 days f	ollowing death)		
	MICHELLE SOSA PRINTED NAME OF SUBSCRIBER	DATE	SIGNATURE	Sylle Joya	
	PRINTED NAME OF SUBSCRIBER PRINTED NAME OF SUBSCRIBER State of Virginia			OF SUBSCRIBER OF SUBSCRIBER	
	Hampton, to-wit: Subscribed and sworn to before me b this third day of July, 2003				
	My commission expires:	the Warren Co.	CLERNOEPU rd day of July, 2003 Teste: <u>James P. B</u> e	TY CLERK/NOTARY PUBLIC	Clerk
gert.	FORM CC-1611 (w) (MASTER) PC 12/98 VA. CODE § 64.1-134		\bigcirc		

I certify that the document to which this authentication is affixed is a true copy of an original record in the Hampton Circuit Count, that I have the custody of the record and I am the custodian of that record.

Linds Beacholor Brillin Charles

By Josephy Clerk

Case 22-05002-FJS Doc 1 Filed 02/23/22 Entered 02/23/22 17:11:53 Page 13 of 120 Document



CERTIFICATION OF OFFICIAL RECORD

Case No. 2003-278 **AKA**

Va. Code §§8.01-389 & 8.01-391; U.S. Const. Art. IV, Sec. 1; 28 U.S.C. § 1738

2003-651

HAMPTON	Virginia, Circuit Court
-	v ngma, Cheuit Court
I, the Clerk of this Court, attest that the annexed	rk's Attestation
INTESTATE ORDER OF THE ESTATE OF J RECORDED IN THIS OFFICE ON JULY 3, 2 LIST OF HEIRS RECORDED IN THIS OFFICE PAGE 2, AND APPLICATION PAPER WORL	OUS AS INSTRUMENT NO. 030001079, PAGE 1, AND
DESCRIPTION OF ORIG	NAL RECORD OR COPY
is an official record of this Court in my of Is a true, correct and complete copy of an	ustody. n official record of this Court in my custody and I am the ppy has been examined and compared with the original.
Date	Deputy Clerk JDA BATCHELOR SMITH TYPED NAME OF CLERK
Judge	's Certification
I, a Judge of this Court, certify that the above atterproper form, and that the signature thereto is gent	station of the duly qualified Clerk of this Court is in line.
<u>June 4, 2014</u> Date WIL	FORD TAYLOR, JR.

Clerks of Virginia Courts: When an original record or copy of a record is transmitted to another Va. Court, only the clerk's attestation is required. When either an original record or copy is transmitted to a court outside Virginia, both the clerk's attestation and the judge's certification are required.

TYPED NAME OF JUDGE

Clerks of Other Courts: The above attestation, the affixing of the Court's seal, and the certificate meet the requirements of 28 U.S.C. § 1738, entitling the record so attested and certified to full faith and credit. 030001079

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT FOR THE CITY OF HAMPTON, VIRGINIA, ON JULY 3 RD, A.D. 2003

COURT FILE NO. 2003-278

PLAINTIFF'S

EXHIBIT

IN RE: JUAN MANUEL SOSA, Deceased

It appearing that JUAN MANUEL SOSA, resided at 100 EAST CARROLL STREET, in the City of Hampton, Virginia, within the jurisdiction of this Court, and died intestate on May 28, 2003, on motion of MICHELLE SOSA, it is ORDERED that MICHELLE SOSA is hereby appointed administrator of the estate of JUAN MANUEL SOSA, deceased.

MICHELLE SOSA then appeared, made oath as the law directs, and acknowledged a bond as administrator in the penalty of \$100.00. The bond, being payable and conditioned according to law, is ORDERED to be recorded.

Certificate is GRANTED MICHELLE SOSA for obtaining letter of administration upon the personal estate of JUAN MANUEL SOSA, in due form.

The statement of responsibilities required by Sec. 64.1-122.1, Code of Virginia was given to the Administrator. The written notice of probate referred to in Section 64.1-122.2, Code of Virginia, are not required in this estate pursuant to Sec. 64.1-122.2 (B).

Given under my hand this $3^{\rm rd}$ day of July, 2003. JAMES P. BOHNAKER, CLERK

P. A., Clerk

I certify that the document to which this authentication is affixed is a true copy of an original record in the Hampton Circuit Court. that I have the custody of the record and I sen the custodian of that record.

Linda Betchelor British, Clork

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Desc Main

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VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF HAMPTON

CRUZ ELISA MATILDE DE SOSA AKA ELIZA SOSA, Plaintiff,)))
v.)
MICHELLE IRENE SOSA, Administratix for the Estate of Juan Manuel Sosa Avila, and)))
MIGUEL SOSA AVILA, Defendants.	

COMPLAINT

COMES NOW the Plaintiff, by Counsel, and states his Complaint against the Defendants as follows:

PARTIES

- 1. The Plaintiff, Cruz Elisa Matilde de Sosa, ("Eliza Sosa") is the widow of Juan Manuel Sosa Avila ("Juan Sosa") and is a resident of Mexico. Pursuant to Virginia Code § 64.2-200(A)(1), Eliza Sosa is the intestate successor of Juan Sosa's Estate. ("The Estate").
- 2. Both Defendants are residents of Hampton, VA.
 - A. Miguel Angel Sosa Avila, ("Miguel Sosa") was the brother of the decedent and was married to Michelle Sosa at the time of the events described in the Complaint.
 - B. Michelle Irene Sosa, ("Michelle Sosa") was qualified as Administratrix to the Estate of
 Juan Sosa Avila on July 3rd, 2003. (Exhibit 1 attached)

JURISDICTION AND VENUE

3. Paragraphs 1-2 are incorporated by reference to this section of the Complaint.

- 4. All the events of this Complaint took place in the City of Hampton.
- 5. Jurisdiction is proper under Virginia Code § 8.01-328.1(6), because the Defendants' tortious acts and omissions took place while they resided in Hampton, Virginia.
- 6. Under Virginia Code § 8.01-262(4), venue is proper, because the causes of action listed in the Complaint arose in Hampton. The Defendants reside in Hampton where the Defendant Michelle Sosa qualified as Administratrix and where Juan Sosa lived at the time of his death.

FACTS

- 7. Paragraphs 1 through 6 are incorporated by reference to this Section of the Complaint.
- 8. Juan Sosa worked as a fisherman and died in course of employment on May 28th, 2003, as a result of a commercial fishing accident. Juan Sosa died intestate, and left Eliza Sosa as his heir at law. This heir was listed by the Administratrix in her qualification papers. (See Exhibit 1). At the time of his death, Juan Sosa's widow resided in Mexico.
- 9. Pursuant to the law of intestate succession, Juan Sosa surviving widow inherited his Estate.

 See Va. Code § 64.2-201. When Juan Sosa died, based on U.S. immigration law and a lack of funds for travel, Eliza Sosa was unable to come to the U.S. in order to qualify as the Administratrix of the Estate of her husband. Under these circumstances, Michelle Sosa assumed the duties of Administratrix.
- 10. When he was not away for his job, Juan Sosa lived with his brother Miguel Sosa. Following Juan Sosa's death, Miguel Sosa and his wife, Michelle Sosa, took charge of Juan Sosa's personal affairs. After Michelle Sosa became the Administratrix of Juan Sosa's Estate in Hampton, Michelle Sosa named Eliza Sosa as heir at law of Juan Sosa's Estate which she valued at less than \$10,000. (See Exhibit 1.) This exempted her from the bond. (See Exhibit 2.)

- 11. Based on information and belief, on January 27th 2004, as part of an insurance payout resulting from Juan Sosa's death, the law firm of Hunton & Williams issued a three-hundred thousand dollars (\$300.000.00) check to Michelle Sosa payable to the Estate account in the Bank of America in Norfolk, Virginia. (See Exhibit 3).
- 12. As Administratrix, Michelle Sosa received the check and deposited it into the Estate

 Account, but failed to disperse any of the money to the Plaintiff as the heir of the decedent.

 To date, Michelle Sosa has:
 - A. Taken \$50,000.00 from the Estate and bought a truck for Miguel Sosa;
 - B. Never filed an accounting of the \$50,000.00 expenditure; and
 - C. Failed to indicate in any Estate disclosure and failed to file the required accounting for the remaining \$250,000.00.
- 13. Based on information and belief, the Plaintiff alleges that Michelle Sosa and Miguel Sosa enriched themselves by using the proceeds of the Estate for their own benefit to purchase personal and real estate properties in Hampton.
- 14. The Estate remains in probate and probate has not been completed at the time of the filing of this lawsuit.

CONVERSION BY MICHELLE SOSA AND MIGUEL SOSA

- 15. Paragraphs 1-14 are incorporated by reference to Count One.
- 16. Pursuant to § 64.2-200, the law regarding interstate succession, Michelle Sosa had an expectancy and interest in the \$300,000.00 check deposited in Juan Sosa's Estate account. There has never been disclosure of the \$300,000.00 deposit by defendant Michelle Sosa and she hasn't accounted for any disbursements in the estate.

- 17. Defendants Michelle and Miguel Sosa wrongfully deprived Plaintiff of her interest in the Estate when they bought a \$50,000.00 truck using money from The Estate funds.
- 18. Based on information and belief, Michelle and Miguel Sosa further benefited from the purchase of several properties in Hampton from the use of the \$300,000.00 from the Estate.
- 19. Defendants Michelle and Miguel Sosa consciously disregarded the Plaintiff's rights as a beneficiary. The Defendants conduct reflects actual malice to deprive Plaintiff of her interests in the Estate.

COUNT TWO FIDUCIARY CONVERSION BY ADMINSTRATRIX

- 20. Paragraphs 1-19 are incorporated by reference to Count Two.
- 21. Pursuant to § 64.2-200 on intestate Estate succession, Michelle Sosa had an expectancy and an interest over the \$300,000.00 of Juan Sosa's Estate.
- 22. Administratrix Michelle Sosa wrongfully deprived Plaintiff of her interest in the Estate when she diverted and converted the \$300,000.00 from the Estate and used it to purchase personal and real property, including a truck she purchased for Miguel Sosa. Michelle Sosa further failed to account for the \$300,000.00 or any part of this amount in any report to the Commissioner of Accounts as required by Virginia Code § 64.2-200.
- 23. Based on information and belief, Michelle Sosa used the funds to purchase personal and real properties in and around Hampton or in other locales for her sole use, or the use of her husband Miguel Sosa.
- 24. Despite her fiduciary duty to the heir of the Estate, Administratrix Michelle Sosa consciously disregarded the Plaintiff's rights as the sole beneficiary of Juan Sosa's Estate. The Defendants' conduct reflects actual malice to deprive Plaintiff of her interest in the Estate.



COUNT THREE FRAUD BY ADMINISTRATIX

- 25. Paragraphs 1-24 are incorporated by reference to Count Three.
- 26. Administratrix Michelle Sosa made false representations and further suppressed information about the status of the Estate of Juan Sosa from the Plaintiff.
- 27. Michelle Sosa had knowledge of material facts that pertained to the disposition of the \$300,000.00 in which the Plaintiff had an interest as the sole intestate successor to the Estate.
- 28. Michelle Sosa intentionally and knowingly suppressed information about the status of the Estate with the intent to mislead the Plaintiff about the value of the Estate and the Plaintiff's entitlement to the proceeds of the \$300,000.00 check.
- 29. Plaintiff reasonably relied on Michelle Sosa who had the duty to the Plaintiff to fulfill her duties as an Administratrix with regards to the Estate and to disclose all necessary material information to the Plaintiff as Administratrix of the Estate. Because the Plaintiff was a citizen and resident of Mexico, she was required to rely on the competent performance of Michelle Sosa's duties as Administratrix of the Estate.
- 30. As a result of Michelle Sosa's fraud, Plaintiff did not receive any of the proceeds of the \$300,000.00 of the decedent's Estate.

COUNT FOUR BREACH OF FIDUCIARY DUTY

- 31. Paragraphs 1-30 are incorporated by reference to Count Four.
- 32. When Michelle Sosa became the Administratrix of the Estate, she undertook a fiduciary duty to the Estate and its beneficiary to fully appraise and disclose the assets of the Estate to the heir at law and to distribute the assets of the Estate to the rightful heir pursuant to the law pertaining to intestate succession.



33. Michelle Sosa breached her fiduciary duties to the Plaintiff in so far as she: (A) failed to disclose or distributed the assets of the Estate to the Plaintiff; (B) concealed the status of the Estate from the Plaintiff, specifically the status of the \$300,000.00, (C) failed to disclose the disposition of those funds; and (D) failed to disclose the particular manner in which Michelle Sosa personally benefited from the funds by taking the money for her own use and for the use and benefit of her husband, Miguel Sosa.

COUNT FIVE PUNATIVE DAMAGES

- 34. Paragraphs 1 to 33 are incorporated by reference to Count Five.
- 35. The actions taken by the Defendant Michelle Sosa in this lawsuit rise to the level of egregiousness by her: (1) failure to disclose the Estates assets; (2) failure to distribute the Estate's assets in accordance with the law; (3) and her actions of concealing the disposition of the Estate's assets that her actions shock the conscience of reasonable people and show willful and wanton disregard for the rights of the rightful heir and beneficiary of the assets of the Estate, Eliza Sosa.
- 36. Likewise, the Administratrix and the Defendant Miguel Sosa showed willful and wanton disregard for the rights of the rightful heir of the Estate, Eliza Sosa.
- 37. Accordingly, based on the acts and omissions of the Defendants, the Plaintiff seeks judgment against the Defendants, jointly and severally, for punitive damages in the amount of three-hundred and fifty thousand dollars (\$350,000.00).

CONCLUSION

WHEREFORE, the Plaintiffs prays that this Court grant judgment against Defendants Miguel Sosa and Michele Sosa, jointly and severally, in the amount of \$300,000.00 in compensatory damages plus her costs and fees in pursuing this action, and any further relief as

equity may require. Furthermore the Plaintiff assets that Michelle Sosa and Miguel Sosa's conduct shocks the conscience and they acted in such a willful and wanton manner in disregarding the rights of the Plaintiff, that they should be liable jointly and severally to pay punitive damages in the amount \$350,000.00 in addition to the compensatory damages sought.

TRIAL BY JURY IS REQUESTED.

Respectfully Submitted,

CRUZ ELIZA MATILDE DE SOSA, AKA ELIZA SOSA

Bv

Wayne Powell, Esq. (VSB No.: 19550) Megan L. Miles, Esq. (VSB No.: 84214)

Powell Law Group, PC 14407 Justice Road Midlothian, Virginia 23113

Telephone: (804) 794-4030

Fax: (804) 794-6576

Case 22-050	DO2-FJS DOC 1 Filed 02 0300 Pocumer LIST OF HEIRS COMMONWEALTH OF VIRGIN Hampton Circuit Court		3/22 17:11:50	PLAIN I	IFF'S BIT
	JUAN MANUEL SOSA NAME OF DECEDENT I/We, the undersigned, hereby state NAMES OF HEIRS ELIZA SOSA	e under oath that the following are a ADDRESSES PRIVADA REFORMA 323 C CASCAJAL 89290 TAMPICO	COLONY	Decedent: RELATIONSHIP WIFE	AGE 40
	I/we am/are (please check one): Proponent(s) of the will (no qua Personal representative(s) of the Heir-at-law of intestate deceden Given under my/our hand this third	e decedent's estate	ollowing death)		
	MICHELLE SOSA PRINTED NAME OF SUBSCRIBER PRINTED NAME OF SUBSCRIBER		SIGNATURE	OF SUBSCRIBER OF SUBSCRIBER	
	PRINTED NAME OF SUBSCRIBER State of Virginia Hampton, to-wit: Subscribed and sworn to before me b this third day of July, 2003 My commission expires:			OF SUBSCRIBER	
	My commission expires: VIRGINIA: In the Clerk's Office of the foregoing LIST OF HEIRS was filed	he Hampton C' (1)	CLERNOEP, and day of July, 2003	Olmaker	
g e de	FORM CC-1611 (w) (MASTER) PC 12/98 VA. CODE § 64.1-134		10	, Deputy	Clerk)

I certify that the document to which this authentication is affixed is a true copy of an original record in the Hampton Circuit Count, that I have the custody of the record and I am the custodian of that record.

Linds Beacholor Brillin Charles

By Josephy Clerk

Case 22-05002-FJS Filed 02/23/22 Entered 02/23/22 17:11:53 Page 26 of 120 Document



CERTIFICATION OF OFFICIAL RECORD

Case No. 2003-278 **AKA** 2003-651

Va. Code §§8.01-389 & 8.01-391; U.S. Const. Art. IV, Sec. 1; 28 U.S.C. § 1738

HAMPTON	Virgin	ia, Circuit Court
	V II gill	ia, Circuit Court
I, the Clerk of this Court, attest that	Clerk's Attestation at the annexed	
	ESTATE OF JUAN MANUEL SOSA, DECEASED ON JULY 3, 2003 AS INSTRUMENT NO. 030001 I THIS OFFICE ON JULY 3, 2003 AS INSTRUM PAPER WORK.	
DESC	CRIPTION OF ORIGINAL RECORD OR COPY	·
-	lete copy of an official record of this Court in my c he annexed copy has been examined and compared	sustody and I am the
Given under my hand the seal of the	nis Court on	
June 4, 2014_ Date	LINDA BATCHELOR SMITH TYPED NAME OF CLERK	,Deputy Clerk
		Y
	Judge's Certification	***
I, a Judge of this Court, certify that proper form, and that the signature to	the above attestation of the duly qualified Clerk of thereto is genuine.	this Court is in
June 4, 2014 Date		, Judge

Clerks of Virginia Courts: When an original record or copy of a record is transmitted to another Va. Court, only the clerk's attestation is required. When either an original record or copy is transmitted to a court outside Virginia, both the clerk's attestation and the judge's certification are required.

<u>WILFÓRD TAYLOR, JR</u> TYPED NAME OF JUDGE

Clerks of Other Courts: The above attestation, the affixing of the Court's seal, and the certificate meet the requirements of 28 U.S.C. § 1738, entitling the record so attested and certified to full faith and credit. 030001079

g _______

PLAINTIFF'S

EXHIBIT

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT FOR THE CITY OF HAMPTON, VIRGINIA, ON JULY 3^{RD} , A.D. 2003

COURT FILE NO. 2003-278

IN RE: JUAN MANUEL SOSA, Deceased

It appearing that JUAN MANUEL SOSA, resided at 100 EAST CARROLL STREET, in the City of Hampton, Virginia, within the jurisdiction of this Court, and died intestate on May 28, 2003, on motion of MICHELLE SOSA, it is ORDERED that MICHELLE SOSA is hereby appointed administrator of the estate of JUAN MANUEL SOSA, deceased.

MICHELLE SOSA then appeared, made oath as the law directs, and acknowledged a bond as administrator in the penalty of \$100.00. The bond, being payable and conditioned according to law, is ORDERED to be recorded.

Certificate is GRANTED MICHELLE SOSA for obtaining letter of administration upon the personal estate of JUAN MANUEL SOSA, in due form.

The statement of responsibilities required by Sec. 64.1-122.1, Code of Virginia was given to the Administrator. The written notice of probate referred to in Section 64.1-122.2, Code of Virginia, are not required in this estate pursuant to Sec. 64.1-122.2 (B).

Given under my hand this 3^{rd} day of July, 2003. JAMES P. BOHNAKER, CLERK

P. A., Clerk

I certify that the document to which this authentication is affixed is a true copy of an original record in the Hampton Circuit Court that I have the custody of the record and I am the custodian of that record.

Linda Betchelor British, Clork

Secret Chark

 $(\overline{\mathbb{C}}_{\mathbb{R}^d})$

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Case 22-05002-FJS Doc 1 Filed 02/23/22 Entered 02/23/22 17:11:53 Desc Main Document Page 28 of 120 CHUNDIN SCAR CIST CHECK'S SHAGEY ON ACIACH LIST Street CHIEF ROY P COIN P USE OTHER SIDE FOR ADDITIONAL LISTING. BE SURE EACH ITEM IS PROPERLY ENDOUSED. TOTAL MEMS **DEPOSIT TICKET** CHECKS ► CHECKS AND OTHER TIESS ARE HETERED FOI DEPOSIT SUBJECT TO THE PROVISCO-S OF THE IMPORTAL COMMITTED AND THE PROPERTY OF THE IMPORTAGE OF THE THEORY OF THE PROPERTY OF THE PROP Bank of America. TOTAL FROM J. \$ #540530108# 00413028292?# THE RESIDENCE OF THE PROPERTY ESCROW ACCOUNT SUNTRUST CENTER SUITE 1000 DATE INVOICE AMOUN 01/21/01 GV0/2 30000 00 500 EAST MAIN STREET NORFOLK, VIRGINIA 25510 68-04/514 3336 TEL 757 - 640 - 5300 TO THE ORDER OF DOLLARS CHECK AMOUNT HUNTONG YOLD AFTER SUPLAYS **9**11111111 Certallaure SUNTRUST NORFOLK, VIRGINIA CONTRACTOR OF THE PROPERTY OF THE PROPERTY OF THE PARTY O #FOD3336## #:051400345#: 000524780##

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IN THE CIRCUIT COURT OF THE CITY OF HAMPTON

CRUZ ELISA MATILDE DE SOSA, AKA ELIZA SOSA,)	
Plaintiff,	j	
)	
v.)	Case No.: CL15-306
MICHELLE IRENE SOSA,)	
Administratrix for the Estate of)	
Juan Manuel Sosa Avila,)	
and)	
and)	
MIGUEL SOSA AVILA,)	
Defendants.)	

ORDER FOR DEFAULT JUDGMENT

COMES BEFORE THE COURT this date the plaintiff, Cruz Elisa Matilde de Sosa ("Eliza Sosa"), by counsel, pursuant to Rule 3:19 of the Rules of the Supreme Court of Virginia and pursuant to the Plaintiff's Motion for this Court to enter Default Judgment against Defendant Miguel Sosa Avila, ("Avila") for the reasons set forth below:

- 1. On February 9, 2015, the Plaintiff filed her Complaint in this Court against Michelle Irene Sosa and Avila. (See Ex. 1)
- 2. Personal service effected on Sosa and Avila on January 21, 2016 and January 28, 2016, respectively.
- 3. Only Defendant Michelle Irene Sosa answered the Complaint in a letter sent to the Court, a copy of which was delivered to Plaintiff's Counsel on October 27; 2016.
- 4. The Plaintiff has alleged that Defendant Avila converted the \$300,000 payment made to the estate of Juan M. Sosa to his own use and has sought judgment against him and his wife, the administrator, jointly and severally, Avila has never responded to the Complaint.

Accordingly, given the evidence of liquidated damages of \$300,000 payment to the Estate of Juan Manuel Sosa to which he was given which he allegedly converted to his own use, the COURT HEREBY GRANTS THE PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT. Further, the Court ORDERS judgment against the defendant Avila in the amount of \$300,000 with interest from February 5, 2004 as well as the costs expended on behalf of the plaintiff.

ENTERED

JUDGE

WE ASK FOR THIS:

E. Wayne Powel, Esquire (VSB Np.: 19550)

POWELL LAW GROUP, P.C.

14407 Justice Road

Midlothian, Virginia 23113 Telephone: (804) 794-4030 Facsimile: (804) 794-6576 Email: wpowell@ewplg.com

Counsel for Plaintiff

2010 HAR 26 AH 10: 57

I certify that the document to which this authentication is affixed is a true copy of an original record in the Hampton Circuit Court, that I have the custody of the record and I am the custodian of that record.

LINDA BATCHELOR SMITH, CLERK

Deputy Clerk



City of Hampton
Office of the Clerk
Hampton Circuit Court
Linda Batchelor Smith, Clerk
P. O. Box 40



237 N, King Street • Hampton, VA 23669-0040 Telephone (757) 727-6105 Fax (757) 728-3605

To: E. Wayne Powell, Esquire Fax Number: (804) 794-6576	Date: September 13, 2019
Re: Cruz Elisa Matilde De Sosa vs. Michelle Sosa and Miguel Avila CL15-306	No. Of Pages (Including cover sheet) 2
FROM: Zyvonne Byrd	Contact Number: (757) 728-2438

This office is in receipt of you letter regarding the default judgment entered in this matter on March 26, 2018. Upon review of the file, it has been verified that the original order is, in fact, lodged in the file. The judgment was docketed on April 9, 2018. I have included a copy of such with this response.

If you have any further questions, please feel free to contact me at the above number.

Sep 13 2019 09:21am

P002

CIVIL JUDGMENT

18-1321

CIVIL NO.: CL15-306

PLAINTIFF(S	1	DE	ECNIDA NITON
I LAMATAT (G	<u></u>	DE DE	FENDANT(S)
CRUZ ELISA MATILDE DE AKA ELIZA SOSA	SOSA,	JUAN MANUEL AND MIGUEL SOSA	RIX FOR THE ESTATE OF SOSA AVILA
		_S5N:	
		DOB	
Attorney: E. Wayne Poweil,	Esquire	Attorney:	
Judgment Date: March 26, 2018	Date Docketed		Time Docketed:
Court in which rendered? C	ircuit Court	Hmstd?	
Amount of Judgment: Judgment awarded against the state of the state of Judgment: \$300,000 with interest from (•	
		Costs	

Payment or Discharge and By Whom	Date	Amount
		\$
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Date	Nature	To Whom It May Concern	Return Date	Nature of Return	Applitional CCC os Section 1	· 1
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VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF HAMPTON

CRUZ ELISA MATILDE DE SOSA,)
AKA ELIZA SOSA,)
Plaintiff,	ì
)
v.)
) Case No.:
MICHELLE IRENE SOSA,	
An Individual,)
and)
MIGUEL SOSA AVILA,)
AKA MIGUEL A. SOSA,)
An Individual,)
and)
SAMUEL I. WHITE, P.C.,)
Trustee,)
and)
NECTAR PROJECTS INC.,)
Trustee,)
and)
EQUITY TRUSTEES, LLC,)
Trustee,)
and)
PRLAP, INC.,)
Trustee,)
and)
MIDLAND FUNDING LLC,)
Judgment Creditor,)
and)
TIDEWATER FAMILY HEALTH)
CENTERS LTD.,)
Judgment Creditor,)
and)
FEDERAL NATIONAL MORTGAGE)
ASSOCIATION, Creditor,)
and)
BANK OF AMERICA, N.A.,)
Creditor,)
and	,
SELECT PORTFOLIO SERVICING,)
INC.,)
Creditor,)
Defendants.	,

COMPLAINT

COMES NOW, Cruz Elisa Matilde de Sosa, also known as Eliza Sosa, hereinafter "the Plaintiff", by and through Counsel, and respectfully represents unto this Court the following:

- 1. The Plaintiff obtained judgment against Defendants Michelle Irene Sosa and Miguel Sosa Avila, also known as Miguel A. Sosa, ("Defendant Debtors") in the Circuit Court of the City of Hampton in the amount of \$300,000.00 plus interest from February 5, 2004, at the judgment rate of interest of 6% per annum until paid, and costs. Defendants jointly and severally now owe to Plaintiff \$571,704.21 as of February 11, 2019.
- The judgment against Defendant Debtor Michelle Irene Sosa was obtained on July 31,
 2017, and was recorded in the City of Hampton Clerk's office on August 7, 2017, with a judgment reference number 17-2511. See Exhibit A.
- The judgment against Defendant Debtor Miguel Sosa Avila was obtained on March 26,
 2018, and was recorded in the City of Hampton Clerk's office on April 9, 2018, with a
 judgment reference number 18-1321. See Exhibit B.
- 4. The Defendant Debtor Miguel A. Sosa is seized and possessed of a certain tract of land, with improvements thereon, situated in the City of Hampton, Virginia, commonly known as 253 Beauregard Heights, Hampton, Virginia 23669, which is also the address for tax mailings ("Property One"). Property One is more particularly described in *Exhibit C*.
- 5. Defendant Samuel I. White, P.C. is a Trustee for the Deed of Trust acquired on Property
 One by Defendant creditor Federal National Mortgage Association, dated July 17, 2013,
 and recorded August 13, 2013 in the Clerk's Office, Circuit Court of the City of
 Hampton, Virginia, Instrument number 080011400; the Deed of Trust being a lien on the

- realty as described above in paragraph four, to secure the payment of a note in the principal sum of \$203,100.00. See Exhibit D.
- 6. The Defendant Debtor Miguel A. Sosa is seized and possessed of a certain tract of land, with improvements thereon, situated in the City of Hampton, Virginia, commonly known as 1269 North King Street, Hampton, Virginia 23669, which is also the address for tax mailings ("Property Two"). Property Two is more particularly described in *Exhibit E*.
- 7. Defendant Nectar Projects, Inc. is a Trustee for the Deed of Trust acquired on Property

 Two by Defendant creditor Select Portfolio Servicing, Inc., dated August 14, 2006, and
 recorded August 15, 2006 in the Clerk's Office, Circuit Court of the City of Hampton,

 Virginia, Instrument number 060019562; the Deed of Trust being a lien on the realty as
 described above in paragraph four, to secure the payment of a note in the principal sum of
 \$124,000.00. See Exhibit F.
- 8. The Defendant Debtor Miguel A. Sosa is seized and possessed of a certain tract of land, with improvements thereon, situated in the City of Hampton, Virginia, commonly known as 400 Cedar Drive, Hampton, Virginia 23666 ("Property Three"). Property Three is more particularly described in *Exhibit G*.
- 9. Defendant Equity Trustees, LLC, is a Trustee for a credit line Deed of Trust acquired on Property Three by Defendant creditor Bank of America, N.A., dated June 5, 2006, and recorded August 11, 2006 in the Clerk's Office, Circuit Court of the City of Hampton, Virginia, Instrument number 060020935; the credit line Deed of Trust being a lien on the realty as described above in paragraph four, to secure the payment of a note in the principal sum of \$70,000.00. See Exhibit H.

- 10. The Defendant Debtor Miguel A. Sosa is seized and possessed of a certain tract of land, with improvements thereon, situated in the City of Hampton, Virginia, commonly known as 112 Beverly Street, Hampton, Virginia 23669 ("Property Four"). Property Four is more particularly described in *Exhibit I*.
- 11. Defendant PRLAP, Inc., is a Trustee for a credit line Deed of Trust acquired on Property Four by Defendant creditor Bank of America, N.A., dated June 5, 2006, and recorded August 9, 2006 in the Clerk's Office, Circuit Court of the City of Hampton, Virginia, Instrument number 060020687; the credit line Deed of Trust being a lien on the realty as described above in paragraph four, to allow for an open line of credit up to a limit of \$90,000.00. See Exhibit J.
- 12. The Defendant Debtor Miguel A. Sosa is seized and possessed of a certain tract of land, with improvements thereon, situated in the City of Hampton, Virginia, commonly known as 329 Walnut Street, Hampton, Virginia 23669 ("Property Five"). Property Five is more particularly described in *Exhibit K*.
- 13. The above-described real estate in paragraphs four, six, eight, ten, and twelve (Properties One, Two, Three, Four, and Five) is encumbered by a lien, secondary in time to Plaintiff's lien on defendant debtors, from a judgment against Miguel Sosa Avila in the amount of \$3,193.45 including costs but not including interest, recorded in the Hampton General District Court on July 17, 2018, with a judgment reference number 18-2642. The judgment creditor is Midland Funding LLC. See Exhibit L.
- 14. The above described real estate in paragraph ten (Property Four) is encumbered by a lien created by a judgment against Michelle Irene Sosa in the amount of \$1,686.25 including

costs and fees but not including interest, recorded in the Hampton General District Court on May 8, 2003, with a judgment reference number 03-1676. The judgment creditor is Tidewater Family Health Centers, Ltd. *See Exhibit M*.

- 15. The above described real estate in paragraphs four, six, eight, ten and twelve is unencumbered by any other Deed of Trust or judgment, except for the Deeds of Trust described in paragraphs five and seven; the credit line Deeds of Trust described in paragraphs nine and eleven; the judgment liens described in paragraphs thirteen and fourteen; and the judgment of the Plaintiff herein.
- 16. The rents and profits accrued by Property One, Two, Three, Four, and Five, if the same is in fact rented, will not, within a five-year period, be sufficient to pay the lien against the real estate. See Exhibits N-1 through N-5, respectively.

WHEREFORE the Plaintiff prays that the Court will appoint a Commissioner in Chancery to take, make, and find all inquiries and accounts as directed by the Court herein, and all orders and decrees be made and entered in this cause to enforce the lien of Plaintiff's judgment against the subject real estate of the Defendant Debtors, and that if it shall appear that the rents and profits from this realty will not satisfy the judgment of Plaintiff and other creditors within a five-year period, that this real estate shall be sold to satisfy the judgment of the Plaintiff and other lienholders named herein.

FURTHER, Plaintiff prays that the Court award attorney's fees and costs in connection with the pursuit of this action, to include filing and service fees, title search fees, and the fees and costs of the Commissioner in Chancery appointed herein, and that the Court award such other relief as deemed just, necessary, and proper.

Respectfully Submitted,

CRUZ ELISA MATILDE DE SOSA

E. Wayne Powell, Esq. (VSB# 19550) Powell Law Group, PC 14407 Justice Road Midlothian, Virginia 23113-6902

Phone: (804) 794-4030 Facsimile: (804) 794-657

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Complaint was mailed first class, postage prepaid, this 3612 day of February to the following:

MICHELLE IRENE SOSA, An Individual, 253 Beauregard Hts., Hampton, Virginia 23669;

MIGUEL SOSA AVILA, AKA MIGUEL A. SOSA, An Individual, 253 Beauregard Hts., Hampton, Virginia 23669;

William Adam White, Registered Agent for: SAMUEL I. WHITE, P.C., Trustee, 5040 Corporate Woods Dr., Suite 120, Virginia Beach, VA 23462;

Tina B. McDaniel, Registered Agent for: NECTAR PROJECTS INC., Trustee, 1402 Ribbon Limestone Terrace SE Leesburg, VA 20175;

Howard N. Bierman, Registered Agent for: EQUITY TRUSTEES, LLC, Trustee, 2101 Wilson Blvd., Suite 1004, Arlington, VA 22201;

CT Corporation System, Registered Agent for: PRLAP, INC., Trustee, 4701 Cox Road, Suite 285, Glen Allen, VA 23060;

Corporation Service Company, Registered Agent for: MIDLAND FUNDING LLC, Judgment Creditor 100 Shockoe Slip, 2nd Floor, Richmond, VA 23219;

TIDEWATER FAMILY HEALTH CENTERS LTD., Judgment Creditor P.O. Box 184, White Marsh, VA 23183;

Wayne Powell, Esq.

Ron Jean, Registered Agent for: FEDERAL NATIONAL MORTGAGE ASSOCIATION, Creditor, 3900 Wisconsin Avenue NW, Washington, D.C. 20016;

CT Corporation System, Registered Agent for: BANK OF AMERICA, N.A., Creditor, 4701 Cox Road, Suite 285, Glen Allen, VA 23060;

Corporation Service Company, Registered Agent for: SELECT PORTFOLIO SERVICING, INC., Creditor, 100 Shockoe Slip, 2nd Floor, Richmond, VA 23219

E. Wayne Powell, Esq. (VSB# 19550) Powell Law Group, PC 14407 Justice Road Midlothian, Virginia 23113-6902

Phone: (804) 794-4030 Facsimile: (804) 794-6576

Y

VIRGINIA:	
* ** * = * * * * * * * * * * * * * * *	OURT OF HAMPTON COUNT
CRUZ ELISA MATILDE DE SOSA, AKA ELIZA SOSA, Plaintiff,)))
v.) Case No.: CL15-306
MICHELLE IRENE SOSA, Administratrix for the Estate of Juan Manuel Sosa Avila, and MIGUEL SOSA AVILA Defendants,)))))
	ORDER

Comes now the plaintiff, by counsel, to argue his Motion for Summary Judgment pursuant to Rule 3:20, against the administrator and defendant in the case, Michelle Irene Sosa, pro se for the reasons set forth in the motion. Accompanying the motion are the various exhibits among which are Requests for Admission requesting that the defendant Michelle Irene Sosa admit or deny that she did not disburse funds from a \$300,000.00 check she received for the Estate of the plaintiff's decedent, Juan Sosa, to the sole beneficiary, the plaintiff in this case, and other requests which pertain to check and cash disbursements which were never distributed to the plaintiff.

The court upon consideration of plaintiff's motion, with attachments and the parties argument, takes these Requests for Admissions attached as exhibits and not answered by the defendant Michelle Sosa, as admitted. Accordingly, the Court finds the following:

 Michelle Irene Sosa was qualified as administratrix of the estate of Juan M. Sosa, on July 3, 2004.



- The defendant, Michelle Irene Sosa, deposited a check in the amount of \$300,000 into the Estate Account of Juan Manuel Sosa Avila, on February 5, 2004.
- Following the deposit of the check into the estate defendant Michelle Irene Sosa did
 not disburse or pay any of these funds to the statutory beneficiary, namely the
 plaintiff in this case, Eliza Sosa.

Based on these findings, the Court grants the Motion for Summary Judgment, and finds that there is no material fact genuinely in dispute, and that, accordingly, that the plaintiff, Eliza Sosa is entitled to the entry of an Order of Judgment against Michelle Sosa administratrix, in the amount of \$300,000 plus interest dating from February 5, 2004, plus costs expended in this case.

IT IS SO ORDERED.

ENTER: 1 361

HIDGE

ASK FOR THIS:

E. Wayne Powell, Esquire (VSB # 19550)

Powell Law Group, P.C.

14407 Justice Road Midlothian, VA 23113

Phone: 804-794-4030 Facsimile: 804-794-6576

wpowell@ewplg.com

Michelle Irene Sosa. pro se 253 Beauregard Heights Hampton, VA 23669

this authentication is affixed is a true copy of en original record in the Hampton Circuit Court, that I nave the custody of the record and I am the custodian of that record.
Linda Batchelor Smith, Clerk

Deputy Clerk

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IN	THE	CIRCUIT	COURT	OF THE	CITY	OF HA	MPTON

CRUZ ELISA MATILDE DE SOSA, AKA ELIZA SOSA,)
Plaintiff,)
V.) Case No.: CL15-306
MICHELLE IRENE SOSA, Administratrix for the Estate of Juan Manuel Sosa Avila,)))
and)
MIGUEL SOSA AVILA, Defendants.)))

ORDER FOR DEFAULT JUDGMENT

COMES BEFORE THE COURT this date the plaintiff, Cruz Elisa Matilde de Sosa ("Eliza Sosa"), by counsel, pursuant to Rule 3:19 of the Rules of the Supreme Court of Virginia and pursuant to the Plaintiff's Motion for this Court to enter Default Judgment against Defendant Miguel Sosa Avila, ("Avila") for the reasons set forth below:

- 1. On February 9, 2015, the Plaintiff filed her Complaint in this Court against Michelle Irene Sosa and Avila. (See Ex. 1)
- Personal service effected on Sosa and Avila on January 21, 2016 and January 28,
 2016, respectively.
- 3. Only Defendant Michelle Irene Sosa answered the Complaint in a letter sent to the Court, a copy of which was delivered to Plaintiff's Counsel on October 27, 2016.
- 4. The Plaintiff has alleged that Defendant Avila converted the \$300,000 payment made to the estate of Juan M. Sosa to his own use and has sought judgment against him and his wife, the administrator, jointly and severally, Avila has never responded to the Complainment

Accordingly, given the evidence of liquidated damages of \$300,000 payment to the Estate of Juan Manuel Sosa to which he was given which he allegedly converted to his own use, the COURT HEREBY GRANTS THE PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT. Further, the Court ORDERS judgment against the defendant Avila in the amount of \$300,000 with interest from February 5, 2004 as well as the costs expended on behalf of the plaintiff.

ENTERED:

JUDGE

WE ASK FOR THIS:

E. Wayne Powell, Esquire (V\$B Np.: 19550)

POWELL LAW GROUP, P.C.

14407 Justice Road

Midlothian, Virginia 23113 Telephone: (804) 794-4030 Facsimile: (804) 794-6576 Email: wpowell@ewplg.com

Counsel for Plaintiff

2018 HAR 26 AH 10: 57

I certify that the document to which this authentication is affixed is a true copy of an original record in the Hampton Circuit Court, that I have the custody of the record and I am the custodian of that record.

LINDA BATCHELOR SMITH, CLERK

Deputy Clerk

Case 22-05002-FJS

Doc 1

Filed 02/23/22

Entered 02/23/22 17:11:53 Desc Main Page 49 of 120

D80011399

PG 5 5 May 100 16 00 Current Depd

Deed of **Bargain and Sale**

\$260,000.00 Assessed Value: \$298,500.00 Consid:

Tax ID: 8003783

253 Beauregard Heights, Hampton, Virginia 23669 Property:

Lytle Law, PC, Newport News, Va. Scrivener:

Insured By First American Title Title Insurance Underwriter: Insurance Company

This deed, dated June 5, 2008, is a Deed of Bargain and Sale from MICHAEL B. BLACK. II and MELISSA L. BLACK, husband and wife ("Grantors"), to MIGUEL A. SOSA, individually and separately ("Grantee"), and it provides that:

In consideration of the monetary amount noted above cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantors do hereby bargain, sell, grant and convey, subject to such matters as are set out herein, with GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE, unto Grantec, to have and hold the property by Grantee as Grantee's separate property, the following described real property, to-wit:

The property is commonly known as 253 Beauregard Heights, Hampton, Virginia 23669, which is also the address for tax mailings.

All that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and designated as Lot Numbered THIRTY-ONE (31), in Block "A", as shown on that certain plat entitled, "SECTION FOUR (4), WILLOW OAKS, HAMPTON, VIRGINIA", made by William Sours, Surveyor, dated August 1, 1968, and recorded in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia, in Plat Book 6, at Page 55, to which plat reference is here made.

Together with all and singular the buildings and improvements thereon, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining; subject, however, to all recorded easements, conditions, restrictions and agreements that lawfully apply to the property.

It being the same property conveyed unto the Grantors by instrument dated July 13, 2005 and recorded in the Clerk's Office aforesaid as Instrument Number 050018859, to which deed reference is here made.

Return To: Lytle Title & Escrow, LLC 11801 Canon Blvd., Saita 101 Newport News.

Deed of Bargain and Sale, Page 1 of 2

Case 22-05002-FJS Doc 1 Filed 02/23/22 Entered 02/23/22 17:11:53 Desc Main Document Page 50 of 120

080011399

PG 0545 JUN 1603

Witness the following signatures and seals:

Grantor:

Michael B. Black, II

City/County of Newport New So-wit:

Acknowledged before me this day of June, 2008 by Michael B. Black, II.

My commission expires:

5-31-2012

Notary Public Registration No. 2370

CONNIE R. THOMAS Notary Public Commonwealth of Virginia Reg. # 237093 My Commission Expires May 31, 2012

Grantor:

Melissa I., Black

City/County of <u>New port New wir:</u>

Acknowledged before me this of June, 2008 by Melissa L. Black.

My commission expires: _

5-31-2012

Notary Public

Registration No. 237093

CONNIE R. THOMAS
Notary Public
Commonwealth of Virginia
Reg. # 237093
My Commission Expires May 31, 2012

This deed was prepared by Lytle Law, P.C. by request without the benefit of a title examination.

INSTRUMENT #080011399
RECORDED IN THE CLERK'S OFFICE OF
HAMPTON ON

JUNE 16, 2008 AT 03:14PM \$298.50 GRANTOR TAX WAS PAID AS REQUIRED BY SEC 58.1-802 OF THE VA. CODE STATE: \$147.25 LOCAL: \$147.25

Deed of Bargain and Sale, Page 2 of 2 LINDA B. SMITH; CLERK RECORDED BY: CLS

PG 0 4 5 4 AUG 13 22

After Recording Return To: BANK OF AMERICA, N.A. Doc Processing TX2-979-01-19 4500 Amon Carter Blvd. Ft. Worth, TX 76155

Prepared By: MITCH MACOMBER BANK OF AMERICA, N.A. WHEN RECORDED. RETURN TO: FIRST AMERICAN MORTGAGE SERVICES 1100 SUPERIOR AVENUE, SUITE 200 CLEVELAND, OHIO 44114 NATIONAL RECORDING

4909 SAVARESE CIRCLE

TAMPA FL 33634

D #

PAGE ______, OR INSTRUMENT # _080011400____,
Hampton ______ COUNTY, VIRGINIA. REPERENCE FOR THIS
PURPOSE OF COMPUTING COST OF RECORDING THIS DEED OF
TRUST IS HERE MADE TO SECTION 58.1-803 (D) OF THE CODE

THIS IS A REPINANCE OF AN EXISTING LOAN SECURED BY A

RPC/Tax Map Reference #/Parce| 1.D. #: 8003783

VIRGINIA, 1950, AS AMENDED.

DEED OF TRUST RECORDED IN DEED BOOK

*******017707013

|Doc ID #1

7821645N

- [Space Above This Line For Recording Data] -

DEED OF TRUST

The following information, as further defined below, is provided in accordance with Virginia law:

The amount of consideration for Virginia recording tax purposes is \$ 203, 100.00

This Deed of Trust is given by

Miguel A. SOSA, MARRIED, BY HIS ATTORNEY IN FACT MICHELLE SOSA.

5040 Corporate Woods Dr

as Borrower (trustor), to

SAMUEL I. WHITE, P.C.

Suite 130 Virginia Beach, VA 23462

N/A

N/A

as Trustee, for the benefit of

BANK OF AMERICA, N.A.

as beneficiary.

REFINANCE OF A DEED OF TRUST RECORDED IN THE CLURK'S FFILE.

THIS IS A REFIN

_____, HRGINIX, IN DEPO

_Lot: _

BOOI ______ IN TRUMENT #____

IN THE ON GINAL PRINCIPL AMOUNT
H THE ONTSTANDING PRINCIPAL BAYANCE

NHI CH

AND WITH THUS OU

ENCIPAL BALANCE

MHICH #

Unit:

VIRGINIA--Single Family--Fannie Mae/Freddle Mac UNIFORM INSTRUMENT

Block:

Form 3047 1/01

Deed of Trust-VA 2006--VA (06/12)(d/l)

Page 1,ai-1T





D

13001278/

PG 0 4 5 5 AUG 13 22

DOC ID #: *******017707013

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18,

20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated JULY 17, 2013, together. Riders to this document.

(B) "Borrower" is

MIGUEL A SOSA, A MARRIED MAN, INDIVIDUALLY AND SEPARATELY

Borrower is the trustor under this Security Instrument.
(C) "Lender" is BANK OF AMERICA, N.A.
Lender is a NATIONAL ASSOCIATION
organized and existing under the laws of THE UNITED STATES .
Lender's address is
101 South Tryon Street, Charlotte, NC 28255
Lender is the beneficiary under this Security Instrument.
(D) "Trustee" is 5040 Corporate Woods Dr
SAMUBL I. WHITE, P.C. Suite 130
Trustee's address is Virginia Beach, \'A 23462
(which may be an address outside the Commonwealth of Virginia when the Trustee exercises federal preemption).
"Trustee" is
N/A
Trustee's address is
N/A
(which may be an address outside the Commonwealth of Virginia when the Trustee exercises federal preemption).
(E) "Note" means the promissory note signed by Borrower and dated _JULY 17, 2013 . The Note states
that Borrower owes Lender
TWO HUNDRED THREE THOUSAND ONE HENDRED and 00/100
pr
Dollars (U.S. \$ 203,100.00) plus interest. Borrower has promised to pay this debt in regular Periodic
Payments and to pay the debt in full not later than AUGUST 01, 2043 . The interest rate stated in the Note
is FOUR percent (4.000 %). If this Security Instrument is an adjustable rate
mortgage loan, this initial rate is subject to change in accordance with the attached Adjustable Rate Rider.
(F) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."
(G) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the
Note, and all sums due under this Security Instrument, plus interest.
(H) "Riders" means all Riders to this Security Instrument that are executed by Borrower, The following Riders are to be executed by Borrower [check box as applied blo]:
Adjustable Rate Rider Co. dominium Rider Second Home Rider
Balloon Rider Planed Unit Development Rider 1-4 Family Rider
☐ VA Rider ☐ Bin cekly Payment Rider ☐ Other(s) [specify]
(I) "Applienble Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and
administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial
opinions. (J) "Community Association Ducs, Fees, and Assessments" means all dues, fees, assessments and other charges that
are imposed on Borrower or the Property by a Condominium association, homeowners association or similar organization.
(K) "Electronic Funds Transfer" means : transfer of funds, other than a transaction originated by check, draft,
or similar paper instrument, which is initial of through an electronic terminal, telephonic instrument, computer,
or magnetic tape so as to order, instruct, or in house a financial institution to debit or credit an account. Such term
includes, but is not limited to, point-of-sace transfers, automated teller machine transactions, transfers initiated
by telephone, wire transfers, and automated clessinghouse transfers,
(L) "Escrow Items" means those items that are described in Section 3.
(M) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction
of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu
of condemnation; or (iv) misrepresentations of the condisions as to, the value and/or condition of the Property.
(N) "Mortgage Insurance" means insurance at a ting Lender against the nonpayment of, or default on, the Loan.
(O) "Periodic Payment" means the regules and olded amount due for (i) principal and interest under the Note, plus
(ii) any amounts under Section 3 of this Secure In Jument.
VIRGINIA-Single Family-Family Mae/Freddie Mae 131 URM INSTRUMENT

P60465 AUG 132

Exhibit "A"

Real property in the City of HAMPTON, County of Hampton City, State of Virginia, described as

IS HERE MADE.

ALL THAT CERTAIN LOT, PIECE OR PARE EL OF LAND SITUATE, LYING AND BEING IN THE CITY OF HAMPTON. VIRGINIA, KNOW! AND DESIGNATED AS LOT NUMBERED THIRTY-ONE (31); IN BLOCK "A", AS SHOWN ON THE CERTAIN PLAT ENTITLED, "SECTION FOUR (4), WILLOW OAKS, HAMPTON, VIRGINIA", IADE BY WILLIAM SOURS, SURVEYOR, DATED AUGUST 1, 1968, AND RECORDED IN T. ECLERK'S OFFICE OF THE CIRCUIT COURT FOR THE CITY OF HAMPTON, VIRGINIA, IN PLATE OOK 6, AT PAGE 55, TO WHICH PLAT REFERENCE

records.

Being all of that certain property convented to MIGUEL A. SOSA, INDIVIDUALLY AND SEPARATELY from MICHAEL B. BLACK, AND MELISSA L. BLACK, HUSBAND AND WIFE, by deed dated 06/05/2008 and recorded /16/2008 as Instrument no. 080011399 of official

Commonly known as: 253 BEAUREGARD HTM HAMPTON, VA 23669

APN #: 8003783

THURSDAY SOSA 47315871 FIRST AMERICAN ELS DEED OF TRUST 80 I GARA DI INNA STATULI EL 180 I MALA BILI DE LA 180 I MALA STATA

VA

INSTRUMENT #130012787 RECORDED IN THE GLERK'S OFFICE OF HAMPTON ON AUGUST 13: 2013 AT 04:53PM

LINDA B. SHITH; GLERK RECORDED BY: MJB

and the same

PG 0 0 0 4 OCT 29 5

Recording Requested By: Bank of America Prepared By: Ariana Garcia 4909 Savarese Circle Tamoa 800-444-4302 When recorded mail to: CoreLogic Mail Stop: ASGN 1 CoreLogic Drive Westlake, TX 76262 Arni Bir Mil Mil Amirai

DocID#

23224639017718991

G-Pin:

800 3783

Property Address:

253 Beauregard Hts

Hampton, VA 23669-1558 VAO-ADT 34070160 10/15/2015 FN0930A

This space for Recorder's use

NOTICE OF ASSIC

For Value Received, BANK OF AMERICA, 1 whose address is 4909 SAVARESE CIRCLE; convey unto FEDERAL NATIONAL MORT 14221 DALLAS PARKWAY, SUITE 1000, I of Trust described below together with the note become due thereon with interest and all rights

BANK OF AMERI MIGUEL A. SOSA:

Made By:

SOSA SAMUEL I. WHITE

Origina

Original Trustee:

Date of Deed of Trust: 7/17/2013

Recorded in Hampton County, VA on: 8/13/2

Contact Federal National Mortgage Associa Way #200, Beaverton, OR 97005, telephone

IN WITNESS WHEREOF, the undersigned Is DCT 1 5 2015

NMENT OF DEED OF TRUST

.., the undersigned holder of a Deed of Trust (herein "Grantor") \MPA, FL 33634 does hereby grant, sell, assign, transfer and GE ASSOCIATION (herein "Grantee") whose address is LLAS, TX 75254 all beneficial interest under that certain Deed and obligations therein described and the money due and to rued or to accrue under said Deed of Trust.

ARRIED, BY HIS ATTORNEY IN FACT MICHELLE

an Amount: \$203,100.00

\$\text{book N/A, page 0454 and instrument number 130012787} : for this instrument c/o Seterus, Inc, 14523 SW Millikan 866-570-5277, which is responsible for receiving payments.

used this Assignment of Deed of Trust to be executed on

BANK OF AMERICA, N.A.

Martia Correa, Assistant Vice President

State of FL, County of Hillsborough

The foregoing instrument was acknowledged ! Vice President authorized to sign on behalf of !" .

has produced_-

Notary Public:

My Commission Expires:

James Quinta 11/17/2010

e me this OCT 1 5 2015 , by Martha Correa, Assistant OF AMERICA, N.A., He/she is personally known to me or

as to effication.

JAMES QUALLAN Notary Public, State of Florida Commission# EE 836181 My comm. expires Nov. 17, 2018

INSTRUMENT #15001372B RECORDED IN THE CLERK'S OFFICE OF HAMPTON ON OCTOBER 29, 2015 AT 08:50AM

> LINDA B. SMITH, CLERK RECORDED BY: DDS

PG 0 0 2 0 AUG 15 06

*GRANTORS: George T. Mizusawa and Theodora B. Mizusawa

*GRANTEE: Miguel A. Sosa *CONSIDERATION: \$155,000.00

*THIS DEED PREPARED BY: J. Robert Harris, III RPC #8005688 & 8005689 34 W. Queens Way Hampton, VA 23669

THIS DEED, made this 7th day of August, 2006, by and between GEORGE T. MIZUSAWA and THEODORA B. MIZUSAWA, husband and wife, Grantors, parties of the first part, and MIGUEL A. SOSA, Grantee, party of the second part, whose mailing address is 112 Beverly Street, Hampton, Virginia 23669

WITNESSETH: That for and in consideration of the sum of TEN DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said Grantors do grant and convey with GENERAL WARRANTY and with ENGLISH COVENANTS OF TITLE unto the said Grantee the following described property, to wit:

> All that certain lot, part-lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, being known and designated as "PARCEL 'A" as shown on that certain plat entitled "PLAT OF THE PROPERTY OF GEORGE T. & THEODORA MIZUSAWA, LOTS 22, 23 24 & PART OF 21, BLOCK 'A', NORTH KING STREET, HAMPTON, VIRGINIA", dated June 29, 2006, revised July 20, 2006, and made by Becouvarakis and Associates, P.C., a copy of which said plat is recorded in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia, on July 28, 2006, as instrument no. 060019562.

> Subject to all conditions, covenants, restrictions, and easements of record or apparent on the ground.

> Together with all and singular the buildings and improvements thereon, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said property unto the party of the second part in fee simple, his heirs and assigns forever.



WITNESS the following signatures and seals:

George T. M. Jusawa (SEAL)

Second of Mis wawa. (SEAL)

THEODORA B. MIZUSAWA

STATE OF VIRGINIA

City/County of Hamoton , to-wi

I, Lichay Fields, a Notary Public in and for the City and State aforesaid, do hereby certify that George T. Mizusawa and Theodora B. Mizusawa, whose names are signed to the foregoing deed have this 17th day of August, 2006, acknowledged the same before me in my City and State aforesaid.

Windy V. Filds (SEAL)
NOTARY PUBLIC

My Commission Expires: 12-31-07

AFTER RECORDATION
PLEASE RETURN TO:
RICHARD B. BLACKWELL ATTY.
2210 EXECUTIVE DEEDE STE. A
HAMPTON, VA. 22665

INSTRUMENT #060021082
RECORDED IN THE CLERK'S OFFICE
HAMPTON ON
AUGUST 15: 2006 AT 08:52AM
\$155.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$77.50 LOCAL: \$77.50
LINDA B. SMITH: CLERK

RECORDED BY: YXM

Case 22-05002-FJS Doc 1 Filed 02/23/22 Entered 02/23/22 17:11:53 Desc Main Document Page 57 of 120

060021083

PG0022 AUG 1506

Return To: LOAN # 3304464716 FL9-700-05-22 JACKSONVILLE POST CLOSING BANK OF AMERICA 9000 SOUTHSIDE BLVD. BLDG 700, FILE RECEIPT DEPT. JACKSONVILLE, FL 32256 Prepared By: NAKIA ROSARIO

TILLE, FL 32256 By: NAKIA ROSARIO BANK OF AMERICA, N.A. 1400 BEST PLAZA DRIVE RICHMOND, VA 232270000 Tax Map Reference #:

RPC/Parcel ID #: MIDLANDL21.22BLKA

RPC#8005688 & 8005689

- (Space Above This Line For Recording Data) --

DEED OF TRUST

LOAN # 3304464716

The following information, as further defined below, is provided in accordance with Virginia law: This Deed of Trust is given by MIGUEL A SOSA

as Borrower (trustor), to PRLAP, INC.

as Trustee, for the benefit of BANK OF AMERICA, N.A.

as beneficiary.

VIRGINIA - Single Family - Fannie Mae/Freddie Mae UNIFORM INSTRUMENT

Form 3047 1/01

-6(VA) (0102)

Page 1 et 16

Initiate: M.S

VMF MORTGAGE FORMS - (800)521-7291

CVVA 06/14/06 9:25 AM 3304454716



PG 0 0 2 3 AUG 15 06

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated AUGUST 14, 2006 together with all Riders to this document.

(B) "Borrower" is MIGUEL A SOSA

Borrower is the trustor under this Security Instrument. (C) "Lender" is BANK OF AMERICA, N.A.

Lender is a NATIONAL BANKING ASSOCIATION organized and existing under the laws of THE UNITED STATES OF AMERICA Lender's address is 1400 BEST PLAZA DRIVE, RICHMOND, VA 232270000

Lender is the beneficiary under this Security Instrument.
(D) "Trustee" is PRLAP, INC.

Trustee (whether one or more persons) is a Virginia resident and/or a United States or Virginia chartered corporation whose principal office is located in Virginia. Trustee's address is C/O 1400 BEST PLAZA DRIVE RICHMOND VA. 23227

"Trustee" is N/A

Trustee (whether one or more persons) is a Virginia resident and/or a United States or Virginia chartered corporation whose principal office is located in Virginia. Trustee's address is N/A

(E) "Note" means the promissory note signed by Borrower and dated AUGUST 14, 2006. The Note states that Borrower owes Lender ONE HUNDRED TWENTY FOUR THOUSAND AND Dollars

(U.S. \$ 124,000.00) plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than SEPTEMBER 01, 2036 .

The interest rate stated in the Note is SEVEN AND ONE-HALF

percent (7.500 %)

If this Security Instrument is an adjustable rate mortgage loan, this initial rate is subject to change in accordance with the attached Adjustable Rate Rider.

- (F) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."
- (G) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

Initials: M.

-6(VA) (0 102)

Pige 2 of 18

Form 3047 1/01 CVVA 08/14/06 9:25 AM 3384464716

PG 0 0 4 2 AUG 15 06

LEGAL DESCRIPTION

All that certain lot, part-lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, being known and designated as "PARCEL 'A" as shown on that certain plat entitled "PLAT OF THE PROPERTY OF GEORGE T. & THEODORA MIZUSAWA, LOTS 22, 23, 24 & PART OF 21, BLOCK 'A', NORTH KING STREET, HAMPTON, VIRGINIA", dated June 29, 2006, revised July 20, 2006, and made by Becouvarakis and Associates, P.C., a copy of which said plat is recorded in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia, on July 28, 2006, as instrument no. 060019562.

AFTER RECORDATION
PLEASE RETURN TO:
RICHARD B. BLACKWELL ATTY.
2210 EXECUTIVE DRIVE STE. A
HAMPTON, VA 23666

INSTRUMENT #060021083
RECORDED IN THE CLERK'S OFFICE OF
HAMPTON ON
AUGUST 15, 2006 AT 08:52AM
LINDA B. SMITH, CLERK

RECORDED BY: YXM

PG0012 OCT-3™

Recording requested by: BANK OF AMERICA, N.A.

When recorded mail to: BANK OF AMERICA, N.A. DOCUMENT PROCESSING MAIL CODE: TX2-979-01-19 4500 AMON CARTER BLVD. FORT WORTH, TX 76155 Attn: ASSIGNMENT UNIT

Tax Parcel: 8005688

CORPORATION ASSIGNMENT OF DEED OF TRUST
Doc. ID# 33687057388456778
Commitment# 5200

For value received, the undersigned, BANK OF AMERICA, N.A., 1800 TAPO CANYON ROAD, SIMI VALLEY, CA 93063, hereby grants, assigns and transfers to:

OCWEN LOAN SERVICING, LLC

1661 WORTHINGTON RD. SUITE 100, WEST PALM BEACH, FL 33409

All beneficial interest under that certain Deed of Trust dated 8/14/06, executed by: MIGUEL A SOSA, Trustor as per TRUST DEED recorded as Instrument No. 060021083 on 8/15/06 in Book Page MML of official records in the County Recorder's Office of HAMPTON County, VIRGINIA. The Trustee is Richard D. Guy. Original Mortgage \$124,000.00

Together with the Note or Notes therein described or referred to, the money due and to become due thereon with interest, and all rights accrued or to accrue under said Deed of Trust.

Dated: 09/13/2012

BANK OF AMERICA, N.A.

BY MIGUEL ROMERO, ASSISTANT VICE PRESIDENT

State of California County of Ventura

On 09/13/2012 before me, A. LUTHER, Notary Public, personally appeared MIGUEL ROMERO, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature:

A. LUTHER

Prepared by: MARGARET MAGALLAN 1800 TAPO CANYON ROAD SIMI VALLEY, CA 93063 Phone#: (213) 345-0981 A. LUTHER

Commission # 1847819

Notary Public - Cattornia

Los Angeles County

My Comm. Expires May 7, 2013

INSTRUMENT #120014823
RECORDED IN THE CLERK'S OFFICE OF
HAMPTON ON
OCTOBER 3, 2012 AT 09:36AM

LINDA B. SMITH: CLERK RECORDED BY: MJB

PG0076 JUL 102

VT27694 Tax 1D#08V039 00 A 022 Prepared by and Return to: Nectar Projects, Inc. 104 N. Bailey Lane #100 Purcellville, VA 20132

SUBSTITUTION OF TRUSTEE

THIS SUBSTITUTION OF TRUSTEE is made between OCWEN LOAN SERVICING, LLC (the Noteholder) and Miguel A. Sosa (the "Original Borrower(s)") and being together the "Grantors"; and Nectar Projects Inc., a Virginia Corporation, substitute trustee, as Grantee:

WITNESSETH:

WHEREAS, by a Deed of Trust dated August 14, 2006, and recorded in the Clerk's Office of the Circuit Court of the City of Hampton, Virginia, as instrument number 060021083 (the "Deed of Trust") the Original Borrower(s) conveyed to PRLAP, Inc. the ("Original Trustee(s)") certain real property described in the Deed of Trust to secure an indebtedness in the original principal sum of One Hundred Twenty Four Thousand Dollars And No Cents (\$124,000.00) and also described in said deed of Trust; and

WHEREAS, the Notcholder may remove the trustee(s) of the Deed of Trust and appoint successor trustee(s) for any reason;

NOW THEREFORE, the undersigned being the present holder of the note secured by the Deed of Trust, does hereby remove the Original Trustee(s) and does hereby remove any Substitute trustee(s) who may have been previously appointed in place of the

PG0077 JUL 102

Original Trustee(s) and does hereby appoint Nectar Projects Inc., as Substitute Trustee and said Substitute Trustee(s) in accordance with the provisions of the Deed of Trust do/does succeed to all the title, power and duties conferred upon the Original Trustee(s) by the terms of said Deed of Trust and by applicable law.

Witness the following signature: OCWEN LOAN SERVICING, LLC (Signature) Franci Boothney Name: Chris Heinichen Title: Contract Manager My Commission Expires: Dated: JUNP STATE OF FLORIDA COUNTY OF PALM BEACH The foregoing instrument was acknowledged and sworn before me this Contract Manager of Ocwen Loan Servicing LLC, who is personally known to me or who has produced as identification. Jami Dorobiala Jami Dorobiata Notary of Florida INSTRUMENT #13001084

VT1227694

Tax ID#08V039 00 A 022

RECORDED IN THE CLERK'S OFFICE OF HAMPTON ON JULY 10, 2013 AT 09:49AM

LINDA B. SMITH, CLERK RECORDED BY: RMJ

PG0092 APR 20 =

VIRGINIA COUNTY/TOWN OF HAMPTON LOAN NO.: 7130400729 - IM tao dia diadri in dinghilik dirimi dinimi di 1981 dhille - im lib di IM

TAX MAP NO. MIDLANDL21.22BLKA

PREPARED BY: SECURITY CONNECTIONS, INC.

WHEN RECORDED MAIL TO: SECURITY CONNECTIONS, INC., 240 TECHNOLOGY DRIVE, IDAHO FALLS, ID 83401, Ph. (208)528-9895

NOTICE OF ASSIGNMENT OF DEED OF TRUST

FOR VALUE RECEIVED, OCWEN LOAN SERVICING, LLC, located at 1661 WORTHINGTON RD., STE. 100, WEST PALM BEACH, FL 33409, Assignor, does hereby grant, assign, transfer, and set over unto SELECT PORTFOLIO SERVICING, INC., located at 3217 S. DECKER LAKE DR., SALT LAKE CITY, UT 84119, Assignee, its successors and assigns, all of Assignor's interest in that certain Deed of Trust described below:

Name of Trustor(s): MIGUEL A SOSA

Name of Original Beneficiary(s): BANK OF AMERICA, N.A.

Name of Original Trustee(s): PRLAP, INC.

Said Deed of Trust dated AUGUST 14, 2006, in the amount of \$124,000.00 and recorded on AUGUST 15, 2006 as Instrument No. 060021083 in the Land Records of the Circuit Court for the CITY of HAMPTON, State of VIRGINIA, described herein as follows:

AS DESCRIBED IN SAID DEED OF TRUST REFERRED TO HEREIN.

Property Address: 1269 N. KING ST HAMPTON, VIRGINIA 23669

TOGETHER WITH ALL RIGHTS ACCRUED OR TO ACCRUE TO SAID DEED OF TRUST.

IN WITNESS WHEREOF, the undersigned has caused this Instrument to be executed this MARCH 31, 2017.

OCWEN LOAN SERVICING, LLC

KIERSTEN BALCH, AUTHORIZED SIGNER

STATE OF IDAHO

COUNTY OF BONNEVILLE) 85

On MARCH 31, 2017, before me, RAE DUTTON, personally appeared KIERSTEN BALCH known to me to be the AUTHORIZED SIGNER of the entity that executed the instrument or the person who executed the instrument on behalf of said entity, and acknowledged to me that such entity executed the same.

RAE DUTTON (COMMISSION EXP. 07/21/2022) NOTARY PUBLIC REGISTRATION NO. 68101

RAE DUTTON NOTARY PUBLIC STATE OF IDAHO

VIRGINIA: IN THE CLERK'S OFFICE C	F THE CIRCUIT CO	URT		
This instrument was admitted	to record on		at	a.m. / p.m.
Clerk's fee of \$	has been pa	iid.		
51+	, Clerk	by		, Deputy Clerk

INSTRUMENT #170004783
RECORDED IN THE CLERK'S OFFICE OF
HAMPTON ON
APRIL 20, 2017 AT 09:53AM

LINDA B. SMITH, CLERK RECORDED BY: EDD

OC80127141M - AM - YA

Page I of I

Consideration: \$82,000.00

050027691

Williams, Mullen, P.C. Fountain Plaza Three 721 Lakefront Commons, Suite 200 Newport News, Virginia 23606 (757) 249-5100

GPIN/ACCT/MAP#: 8003235

DEED

THIS DEED, made this 10^{th day} of October, 2005, by and between HUEY D.

CARDEN and SUE N. CARDEN, Trustees under the SUE N. CARDEN LIVING

TRUST dated September 4, 2003 (either of whom may act), and THOMAS E.

PELLOWSKI (hereinafter "Grantors"); and MIGUEL SOSA, (hereinafter "Grantce"), whose mailing address is 400 Cedar Drive, Hampton, Virginia 23666.

Whenever used herein the singular shall include the plural, the plural the singular, and the use of any gender shall include all other genders.

WITNESSETH

That for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantors do bargain, grant, sell and convey with GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE unto the Grantee, the following described property ("Property"), to-wit:

All that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, as more fully described on Exhibit "A" attached hereto and made a part hereof.

The Grantors covenant that they the right to convey the said land to the Grantee; that they have done no act to encumber said land, save as aforesaid; that the Grantee shall have quiet possession of the said land, free from all encumbrances; and that the Grantors will execute such further assurance of the said land as may be requisite.



Case 22-05002-FJS Doc 1 Filed 02/23/22 Entered 02/23/22 17:11:53 Desc Main Document Page 65 of 120

050027691

PG0938 OCT 1705

Property is conveyed subject to the conditions, restrictions, reservations, encumbrances and easements, if any, duly recorded affecting the Property and constituting constructive notice.

WITNESS the following signature(s) and seal(s):

SUE N. CARDEN LIVING TRUST

Dated September 4, 2003

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Newsport News to-wit:

The foregoing Deed of Bargain and Sale was swom to and acknowledged before me this 13 day of October, 2005, by SUE N. CARDEN and HUEY D. CARDEN, Trustees under the SUE N. CARDEN LIVING TRUST dated September 4, 2003.

Notary Public

Commonwealth of Virginia At Large

My Commission Expires: 16-31-05

Case 22-05002-FJS Doc 1 Filed 02/23/22 Entered 02/23/22 17:11:53 Desc Main Document Page 66 of 120 PG 0 9 3 9 0CT 17 05

WITNESS the following signature(s) and seal(s):

THOMAS E. PELLOWSKI (SEAL)

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF NOWOOT + NOWS, to-wit:

The foregoing Deed of Bargain and Sale was sworn to and acknowledged before me this 13 day of October, 2005, by THOMAS E. PELLOWSKI

Notary Public

Commonwealth of Virginia At Large

My Commission Expires: 10-31-05

EXHIBIT "A"

All that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and designated as Lot Numbered FORTY-FIVE (45), in Block Lettered "A", as shown on that certain plat entitled, "Pine Grove Terrace, City of Hampton, Virginia", made by John W. Lawson, Certified Land Surveyor, dated April 29, 1953 and duly of record in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia in Plat Book 3, page 118, to which reference is here made.

It being the same property conveyed unto Solveig H. Pellowski and Sue N. Carden by Deed of Assumption from Glenn A. Talbott and Beth E. Talbott, husband and wife, dated November 21, 1978 and duly recorded in the aforesaid Clerk's Office on November 30, 1978 in Deed Book 533. page 832. The said Solveig H. Pellowski died on December 7, 2004 devising ½ interest to the property to her son, Thomas E. Pellowski by her Last Will and Testament recording as Instrument Number 050000082. The said Sue N. Carden conveyed her 1/2 interest in the aforesaid property to Huey D. Carden and Sue N. Carden, Trustees, or their successors in trust, under the Sue N. Carden Living Trust dated September 4, 2003, by deed dated October 14, 2003 and duly recorded in the Clerk's Office aforesaid as Instrument Number 030025937.

#1061353 v1 - Deed - Carden/Pellowsig to Sosa

INSTRUMENT #050027691

RECORDED IN THE CLERK'S OFFICE OF HAMPTON ON OCTOBER 17, 2005 AT 04:33PM \$82.00 GRANTOR TAX WAS PAID AS SEQUIRED BY SEC 56.1-802 OF THE VA. CODE \$41.00 LOCAL: \$41.00 LOCAL: \$41.00 LINDA B. SMITH, CLERK

RECORDED BY: RMS

Case 22-05002-FJS Doc 1 Filed 02/23/22 Entered 02/23/22 17:11:53 Desc Main Page 68 of 120 Document

060020935

PG 0 3 | 0 AUG 11 06

After Recording Return To:

Record and Raturn To:
Fisery Landing Solutions
27 Inwood Road
ROCKY HILL: CT 96867
Jacksonville, Florida 3225b
Loan Number: 68998000424299/99506/22/32

Tax Map Reference No.:

PIN: 08KD03-00-A-645 Prefand By: Franco Staffney

CREDIT LINE DEED OF TRUST

THIS IS A CREDIT LINE DEED OF TRUST

The following information, as further defined below, is provided in accordance with Virginia law:

This Deed of Trust is given by MIGUEL A SOSA

as Borrower (grantor or trustor), to PRLAP, INC. as Trustee, for the benefit of Bank of America, NA

as beneficiary.

DEFINITIONS

(A) "Security Instrument" means this document, which is dated JUNE 5, 2006 with all Riders to this document.

, together

(B) "Borrower" is MIGUEL A SOSA

the party or parties who have signed this Security Instrument. Borrower is the trustor under this Security Instrument. (C) "Lender" is Bank of America, NA

Lender is a National Banking Association organd existing under the laws of THE UNITED STATES OF AMERICA Lender's address is 100 North Tryon Street, Charlotte, North Carolina organized

Lender is the beneficiary under this Security Instrument.

(D) "Agreement" means the Home Equity Line of Credit Agreement signed by the Borrower

(E) "Account" means the Home Equity Line of Credit Account pursuant to which the Lender makes Advances to the Borrower at the Borrower's direction, allowing the Borrower to repay those Advances and take additional

Advances, subject to the terms of the Agreement.

(F) "Credit Limit" means the maximum aggregate amount of principal that may be secured by this Security Instrument at any one time. The Credit Limit is \$70,000.00 Except to the extent

VIRGINIA HOME EQUITY LINE OF CREDIT DEED OF TRUST VAHESI HLC 11/01/05

Page 1 of 13

DocMagic &Permos #649-002 www.docmagic.com



PG 0 3 1 | AUG 11 06

060020935

prohibited by Applicable Law, the Credit Limit does not apply to interest, Finance Charges, and other fees and charges validly incurred by Borrower under the Agreement and this Security Instrument. The Credit Limit also does not apply to other advances made under the terms of this Security Instrument to protect Lender's security and to perform any of the covenants contained in this Security Instrument.

(G) "Account Balance" is the total unpaid principal of the Account, plus carned but unpaid Finance Charges,

outstanding fees, charges, and costs.

(H) "Maturity Date" is the date on which the entire Account Balance under the Agreement is due. The entire Account Balance on your Account, as defined in the Agreement and this Security Instrument, is due on JUNE 5, 2031

- "Property" means the Property that is described below under the heading "Transfer of Rights in the Property." "Secured Debt" means:
- - (1) All amounts due under your Account, including principal, interest, Finance Charges, and other fees, charges, and costs incurred under the terms of this Security Instrument and all extensions, modifications, substitutions or renewals thereof.
- Any advances made and expenses incurred by Lender under the terms of this Security Instrument. (K) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

	Condominium Rider	Escrow Rider
Second Home	Planned Unit Development Rider	Mortgage Insurance Rider
Cther(s)		

- (L) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial
- (M) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar
- (N) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.
- (O) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.
- (P) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Agreement and/or this Security Instrument.
- (Q) "Approved Prior Loan" means a lien which is and which lender acknowledges and agrees will continue to have priority over the lien created by this Security Instrument.
- (R) "Trustee" is PRLAP, INC.

Trustee (whether one or more persons) is a Virginia resident and/or a United States - or Virginia-chartered corporation whose principal office is located in Virginia. Trustee's address is C/O 1400 BEST PLAZA DRIVE. RICHMOND, VIRGINIA 23227

PG0326 AUG1106

060020935

G156FT4V

. .

SCHEDULE A

THAT CERTAIN PIECE OR PARCEL OF LAND, AND THE BUILDINGS

AND IMPROVEMENTS THEREON, KNOWN AS: 400 CEDAR DRIVE

IN THE TOWN OF: HAMPTON

COUNTY OF: HAMPTON CITY

STATE OF: VIRGINIA

BEING MORE PARTICULARLY DESCRIBED IN A DEED RECORDED IN:

DOCUMENT NUMBER: 27691

PROPERTY IDENTIFICATION:

PIN: 08K003-00-A-045

PROPERTY DESCRIPTION:

LOT: 45

SUBDIVISION: PINE GROVE TERRACE

ACREAGE: .1768

RECORDED IN THE CLERK'S OFFICE OF
HAMPTON ON
AUGUST 11, 2005 AT 11:14AM
LINDA B. SMITH, CLERK

RECORDED BY: RMS

PG 0 0 1 0 JAH 27 9

BWW#: 2028060000995

PREPARED BY / PLEASE RETURN TO: BWW Law Group, LLC 6003 Executive Blvd.. Suite 101 Rockville, MD 20852

Tax 1.D.#: 08K003-00-A-045

1

APPOINTMENT OF SUBSTITUTE TRUSTEE

BANK OF AMERICA, N.A., GRANTOR herein, does hereby remove the Original Trustee(s) as Trustee(s), and does also hereby remove any substitute trustee or trustees who may have been previously appointed in place of the Original Trustee(s), and hereby appoints EQUITY TRUSTEES, LLC, a Virginia limited liability company, as Substitute Trustee/GRANTEE whose place of business is 2101 Wilson Boulevard, Suite 402, Arlington VA 22201. This appointment is made under the deed of trust dated June 05, 2006 conveying the real property known as 400 Cedar Drive, Hampton, VA 23669 and executed by Miguel A. SOSA (identified here as GRANTOR(S) for recordation purposes), in which BANK OF AMERICA, NA is named original lender and PRLAP, INC. as original trustee, and recorded at Instrument No. 060020935 in the land records of the Hampton City Circuit Court Clerk's Office ("Deed of Trust"). Said Substitute Trustee shall, in accordance with the provisions of said Deed of Trust and by applicable law.

	BANK OF AMERICA, N.A.	
	Print Name: Shanim Ati Title: Assistant vice President Date: No Jember 27, 2015	<u>27-1</u> S
State of Texa	3	
personally appeared	SURPLELO, the undersigned officer, on this, Shamon A (compared officer), a known to recover as identification, who identified himself to the compared officer whose nation of so, acknowledged that (s) he had executed the cost and consideration described and in the capa	ne or, sthrough the production of erself to be the Assistant vice President me is subscribed to the foregoing instrument, see foregoing instrument as the act of such
(SEAL)	Print Name: MYRA P GUERRERO Notary Public, State of TEXAS Commission No.: 15010001-1 My Commission Expires: 01-01-2019	
	MYRA P. GUERRERO Notary Public STATE OF TEXAS My Comm. Em. 02/23-19	LINDA B. SMITH, CLERK RECORDED BY: MJB

PG 0 0 0 1 FEB 22 9

Consideration: \$0.00

Prepared By: Richard B. Blackwell, Attorney VSB#31060 2210-A Executive Drive Hampton, Virginia 23666 (757) 838-2966 T itle Insurance: None

RPC#:8002937

THIS DEED IS EXEMPT FROM RECORDING TAX PURSUANT TO SECTION 58.1-811.D, CODE OF VIRGINIA, 1950, AS AMENDED

THIS DEED OF GIFT, made this 9th day of February, 2016, by and between MICHELLE I. SOSA, GRANTOR, and MIGUEL A. SOSA, GRANTEE, whose mailing address is 253 Beauregard Heights, Hampton, VA 23669.

WITNESSETH: The said Grantor does hereby grant and convey with GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE unto the said Grantee, his heirs and assigns, in fee simple and forever, the following described property, to-wit:

All that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and designated as Lot Numbered SEVEN in Block Lettered "B", as shown on a certain plat entitled, "SEC. 12-A-51 REVISION AND ADDITION NO. 1 TO PINE GROVE COURT, ELIZABETH CITY COUNTY, VIRGINIA", made by R. F. Pyle, C.L.S., dated May 8, 1952, a copy of which is duly of record in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia, in Plat Book 3, pages 98 and 98A, to which reference is here made.

Property more commonly known as 112 Beverly Street, Hampton, VA 23669.

It being the same property conveyed unto the grantor herein by deed of gift from Miguel A. Sosa, et ux, and duly recorded in the Clerk's Office aforesaid as Instrument No. 030006154.

SUBJECT TO ANY AND ALL LIENS OF RECORD.

THIS DEED PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION.



The said Grantor does hereby covenant that she has the right to convey the said land as unto the said Grantee; that she has done no act to encumber the said land, save as aforesaid; that the said Grantee shall have quiet possession of the said land, free from all encumbrances; and that the said Grantor will execute such further assurances of the said land as may be requisite.

WITNESS the following signature and seal:

(SEAL)

STATE OF VIRGINIA City of Hampton, to-wit:

The foregoing Deed of Gift dated February 9, 2016, was acknowledged before me by MICHELLE I. SOSA, who having produced Drivers License as form of identification, this ______ day of _______, 2016.

Notary Public

My Commission Expires: 8/3/16
Notary Registration No.: 202355

AFTER RECORDATION
PLEASE RECORDATION

RICHARD () A A

HAMPTON, VA 235F5

INSTRUMENT #160002764
RECORDED IN THE CLERK'S OFFICE OF
HAMPTON ON
FEBRUARY 22, 2016 AT 04:21PM

LINDA B. SMITH, CLERK RECORDED BY: MJB 060020687

After Recording Return To:

sosa. Miguel A

Record and Return To: Fisery Lending Solutions 27 Inwood Road ROCKY HILL. CT 06067

rd,

Jacksonville, Florida 32256 Loan Number: 68998000364999 PREPARED BY: Stephonic M. Brown Tax Map Reference No.:

PINOSKUDZ-61-G-007

995041221317380

[Space Above This Line For Recording Data]

CREDIT LINE DEED OF TRUST THIS IS A CREDIT LINE DEED OF TRUST

The following information, as further defined below, is provided in accordance with Virginia law:

This Deed of Trust is given by MIGUEL A SOSA

as Borrower (grantor or trustor), to PRLAP, INC. (Gradul)

as Trustee, for the benefit of Bank of America, NA

as beneficiary.

DEFINITIONS

(A) "Security Instrument" means this document, which is dated JUNE 5, 2006 , together with all Riders to this document.

(B) "Borrower" is MIGUEL A SOSA

the party or parties who have signed this Security Instrument. Borrower is the trustor under this Security Instrument. (C) "Lender" is Bank of America, NA

Londer is a National Banking Association and existing under the laws of THE UNITED STATES OF AMERICA organized Lender's address is 100 North Tryon Street, Charlotte, North Carolina 28255

Lender is the beneficiary under this Security Instrument.

(D) "Agreement" means the Home Equity Line of Credit Agreement signed by the Borrower.

(E) "Account" means the Home Equity Line of Credit Account pursuant to which the Lender makes Advances to the Borrower at the Borrower's direction, allowing the Borrower to repay those Advances and take additional Advances, subject to the terms of the Agreement.

(F) "Credit Limit" means the maximum aggregate amount of principal that may be secured by this Security Instrument at any one time. The Credit Limit is \$90,000.00 Except to the extent

VIRGINIA HOME EQUITY LINE OF CREDIT DEED OF TRUST VAHESI-NLC 11/01/05

Page 1 of 13

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Page 75 of 120 PG 0 4 9 1 AUG -9 06

prohibited by Applicable Law, the Credit Limit does not apply to interest, Finance Charges, and other fees and charges validly incurred by Borrower under the Agreement and this Security Instrument. The Credit Limit also does not apply to other advances made under the terms of this Security Instrument to protect Lender's security and to perform any of the covenants contained in this Security Instrument.

(G) "Account Balance" is the total unpaid principal of the Account, plus carned but unpaid Finance Charges, outstanding fees, charges, and costs.

(H) "Maturity Date" is the date on which the entire Account Balance under the Agreement is due. The entire Account Balance on your Account, as defined in the Agreement and this Security Instrument, is due on

"Property" means the Property that is described below under the heading "Transfer of Rights in the Property."

(J) "Secured Debt" means:

- (1) All amounts due under your Account, including principal, interest, Finance Charges, and other fees, charges, and costs incurred under the terms of this Security Instrument and all extensions, modifications, substitutions or renewals thereof.
- Any advances made and expenses incurred by Lender under the terms of this Security Instrument, (K) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

- (L) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial
- (M) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.
- (N) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.
- (O) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.
- (P) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Agreement and/or this Security Instrument.
- (Q) *Approved Prior Loan* means a lien which is and which lender acknowledges and agrees will continue to have priority over the lien created by this Security Instrument.
- (R) "Trustee" is PRLAP, INC.

Trustee (whether one or more persons) is a Virginia resident and/or a United States - or Virginia-chartered corporation whose principal office is located in Virginia. Trustee's address is C/O 1400 BEST PLAZA DRIVE, RICHMOND, VIRGINIA 23227

0020687

PG 0 5 0 3 AUG - 9 06

G156FT56

SCHEDULE A

THAT CERTAIN PIECE OR PARCEL OF LAND, AND THE BUILDINGS

AND IMPROVEMENTS THEREON, KNOWN AS: 112 BEVERLY STREET

IN THE TOWN OF: HAMPTON

COUNTY OF: HAMPTON CITY

STATE OF: VIRGINIA

BEING MORE PARTICULARLY DESCRIBED IN A DEED RECORDED IN:

DOCUMENT NUMBER: 6154

PROPERTY IDENTIFICATION:

PIN: 08K002-01-B-007

PROPERTY DESCRIPTION:

LOT: 7

ACREAGE: .2238

RECORDED IN THE CLERK'S OFFICE OF
AUGUST 9, 2006 AT 11:16AM
AUGUST 9, 2006 AT 11:16AM

RECORDED BY: RMS

Document Page 77 of 120 630006640

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THIS INSTRUMENT IS EXEMPT FROM RECORDATION TAXES PURSUANT TO SECTION 58.1-811(d), CODE OF VIRGINIA, 1950, AS AMENDED.

PARCEL I..D. NO.: 08K002-01-M-023 RPC TAX I.D. NO.: 8003165

THIS DEED OF GIFT, made this 20th day of March, 2003, by and between MIGUEL A. <u>SOSA</u> and MICHELLE I. <u>SOSA</u>, Husband and Wife, GRANTOR, parties of the first part; and MIGUEL A. <u>SOSA</u>, GRANTEE, party of the second part, whose mailing address is 329 Walnut Street, Hampton, Virginia 23669.

WITNESSETH: That for and in consideration of the sum of TEN DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged at and before the signing and delivery of this Deed, the said parties of the first part, hereby grant and convey with covenants of GENERAL WARRANTY and English Covenants of Title unto the said party of the second part, in fee simple absolute, the following described property, to-wit:

All that certain lot, piece or parcel of land situate, lying and being in the City of Hampton, Virginia, known and designated as Lot Numbered TWENTY-THREE (23), in Block Lettered M, as shown on that certain plat entitled, "SECTION 12-A51 REVISION AND ADDITION NO. 2 TO PINE GROVE COURT, CITY OF HAMPTON, VIRGINIA", made by R. F. Pyle, Certified Land Surveyor, Newport News, Virginia, dated December 30, 1952, amended January 23, 1953, and duly recorded in the Clerk's Office of the Circuit Court for the City of Hampton, Virginia, in Plat Book 3, page 113, to which plat reference is here made.

Together with all and singular the buildings and improvements thereon, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject, however, to any and all restrictions and conditions, easements and rights of way of record affecting said property.

PAGE ONE OF THREE PAGES



030006640

309040007

It being the same property conveyed unto Miguel A. Sosa and Michelle I. Sosa, Husband and Wife, by Deed dated July 20, 2000, from Stephen S. Mason and Karen S. Mason, Husband and Wife, and was duly recorded in the aforesaid Clerk's Office, in Deed Book 1335, at Page 1518.

The said parties of the first part covenant that they have the right to convey the said land unto the said party of the second part; that they have done no act to encumber the said land, save as aforesaid, that the said party of the second part shall have quiet possession of the land, free from all encumbrances; and that the said parties of the first part will execute such further assurances of the said land as may be requisite.

WITNESS the following signatures and seals:

MIGUEL A. SOSA (SEAL

MICHELLE L SOSA (SEAL

COMMONWEALTH OF VIRGINIA CITY OF HAMPTON, to-wit:

The foregoing instrument was acknowledged to before me this 2121 day of March, 2003, by Miguel A. Sosa.

Given under my hand and seal this 212 day of March, 2003.

BOWNE S. DOLKES

Notary Public

My Commission Expires July 31, 1003

PAGE TWO OF THREE PAGES

80.000000608

COMMONWEALTH OF VIRGINIA CITY OF HAMPTON, to-wit:

The foregoing instrument was acknowledged to before me this 2154 day of March, 2003, by Michelle I. Sosa.

Given under my hand and seal this 21th day of March, 2003.

My Commission Expires: 1 31 3003

INSTRUMENT #050006640 RECORDED IN THE CLERK'S OFFICE OF HOMPTON ON MARCH 241 2003 AT 01:00PM JAMES P. BOHILMER, CLERK

PREPARED BY, AND AFTER RECORDING, PLEASE RETURN TO:

Gregory B. Blanchard, Esquire 47 West Queen's Way Hampton, Virginia 23669 (757) 727-0853

PAGE THREE OF THREE PAGES

18-2642

ABSTRACT OF JU		Case No. GV16011117-00	**********
_	nia VA. CODE § 8.01-449	15-137374	
HAMPTON GENERA	AL DISTRICT COURT - CIVIL DISTRICT CO	236 N. KING STREET 2ND FL, HAMPTON, VA 23869 DURT NAME AND ADDRESS	
MIDLAND FUNDING LLC		y. SOSA-AVILIA, MIGUEL	8
ASSIGNEE OF CITIBANK	TUFF (LAST, FIRST, MIDDLE)	FULL NAME OF DEFENDANT (LAST, FIRST, MIDDLE)	N 01
ADDRESS	DI DI 075 440	ADDRESS	123 12
WILKS 6802 PARAGO RICHMOND, VA 2323		253 BEAUREGARD, HTS HAMPTON, VA 23669	4.5
CITY	STATE ZIP	CTTY	ZIP
DATE OF BRITH	0000 SSN (LAST FOUR DIGITS ONLY)	0000 DATE OF BIRTH SSN (LAST FOUR)	appropriate and resource resource and related the first
DATEOF BIRTH	224 (CV21 LOCK DIG112 OVC1)	DATE OF BIRTH SSN (LAS) FOOK	PIGITS ONLY)
FULL HAN	AE OF PLAINTIFF(3)	FULL NAME OF DEFENDANT(S)	II 1000no en emo gal ponegrapo venegra d
ADDRESS	n ori-man yyydd yd haf haf ei - g fan haf hwyr-wyf dy gyg gyddiau hy gyddiada al all all y y y y y y y y y y y	ADDRESS.	Jilgani — li bi pini — ndgarr u jilgani
CITY	STATE ZIP	CITY STATE	ZIP
DATE OF BIRTH	SSN (LAST FOUR DIGITS ONLY)	DATE OF BIRTH SSN (LAST FORE DIG	ITS ONLY)
This is to certify that a ju-	dgment was rendered in this cou	DATE OF BIRTH SSN (LAST PONTION) Int in favor of:	2011
[X] PLAINTIFF(S) again			
DEFENDANT(S) ag	gainst PLAINTIFF(S)	4500 X	F
Final and the second section (second section)		- 25 T	-
			3 1
DATE OF JUDGMENT	12/20/2016	ON YEAR	ي ي
s 3,138.45	AMOU	TI THE DUTY OF JUDGMENT	=
\$		AMOUNT OF JUDGMENT NOT SUBJECT TO ACCRUAL OF INTERES	п
HOMESTEAD EXEMPTION WAL	VED [] YES [X] NO [] CANN	OT BE DEMANDED	
3	ALTERNATE V	ALUE OF SPECIFIC PROPERTY AWARDED	
INTEREST RATE(5) AND BEGIN	NING DATE(S)		
COSTS	ATTORNEY'S FEES	ATTORNEY	
s 55.00	\$	WILKS	
OTHER.			
0111010			
I certify the above to be a	true abstract of a judgment read	dered in this court.	
		20 –	
specials 1994 The same of	5/22/2018 PATE	K(b-fullin) Arklerk (JJUDGE	
	PO EM	11000	

FORM DC-465 MASTER 7/07



Case 22-05002-FJS Doc 1 Filed 02/23/22 Entered 02/23/22 17:11:53 Desc Main Document Juga Bage 81 of 120 se NUMBER: GYO3001251-00

HAMPTON GENERAL DISTRICT COURT

PLAINTIFF(S)

3000 1676

TIDEHATER FAMILY HEALTH CENTERS LTD C/O HUDSON P D BOX 184 WHITE MARSH YA 23183

NO BSN NO DOB

MICHELLE IRENE BOBA 406 NALNUT BT HAMPTON VA 23669

224-19-5890 NO DOB

THIS IS TO CERTIFY THAT A JUDGMENT WAS REMORRED IN THIS COURT IN FAVOR OF:

PLAINTIFF(S) AGAINST DEFENDANT(S) CONTAINING THE FOLLOWING TERMS:

DATE OF JUDGMENT: 03/12/03

AMOUNT OF JUDGMENT:

\$1,325.00

OTHER AMOUNT:

\$0.00

HOMESTEAD EXEMPTION WAIVED: () YES (X) NO () CANNOT BE DEMANDED

ALTERNATE VALUE OF SPECIFIC PROPERTY AWARDED: N/A

INTEREST: 9 % FROM DOJ

COSTS:

\$30.00

ATTORNEY'S FEES: 331.25

ATTORNEY: HUDSON

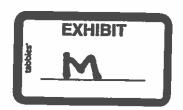
DTHER AWARDED:

I CERTIFY THE ABOVE TO BE A TRUE ABSTRACT OF A JUDGMENT RENDERED IN THIS COURT

DATE

FURM DC-465 4/90 (04/03/03)

PAGE: 131



This form is intended to provide the appraiser with a familiar format to estimate the market term of the subject property. Adjustments should be made only for terms of significant difference between the comparables and the subject property.

			n-Green & Asso	ciates, Inc.		I h h SG18-305	117
ITEM	SUBJECT	COMPARABLE	ENO. 1	COMPARA	BLE NO. 2	COMPARAB	LE NO. 1
Address 253 Beaurega		5 Kempers Charge Rd		102 Bear Creek Cros	ssing	363 Hopemont Cir	
Hamplon, VA	23669	Hampion VA 23669		Hampton, VA 23669		Hampton, VA 23669	
Proximity to Subject		0 36 miles SW		0.89 miles SW		0.67 miles SE	
Date Lease Begins	Unknown	Annually		Annually		Annually	
Date Lease Expires	Unknown	Annually		Annually		Annually	
Monthly Rental	If Currently						
	Rented: 1 Unknown		1,695	1	1,775	S	1,
Less: Unities	The second secon	3	0	1	0	\$	
Furniture	\$	3		1		\$	
Adjusted Vonitriy Resi	s a					}	
	-	1	1.695		.775		1,
Data Source	Exterior Inspection, City Recosts	REIN #18160478,DOM City Record (Exterior In		REIN #10159575,DO		REIN #10150140;DOM	
RENT ADJUSTMENTS	DESCRIPTION	DESCRIPTION	(11Admmire	DESCRIPTION		City Records/Exterior	
Rent		None	1 12 Appendix	None	-011	DESCRIPTION	disapare
Concessions	Charles and	Tions		Hone		None	
	N.Res.	N.Res:		N.Res	-	110	
LocationView	N Ras	N.Res		N.Res		N,Res;	
	DT2.0,Colonial	DT2 0.Colonial :		DT2.0.Colonial		N/Res;	
Design and Appeal				D12.0,0000181		DT2.0,Colonial	
Age/Condition	49	45	0	37		54	
	Average	Average		Average		Average	
Above Grade	low form born	ies ion bou	7	las send to		less laws Rate	
Room Count	10: 5: 210	9 4 2.10	→75	10 5 2.10	1	6 4 2.10	,
Gross Living Area	2,551 Sult.	2,472 Sq FL 1	0	2,632 Se fe		2.330 54.14	`
Other (e.g., basement,	Osf	Osf :		Osl		Gst :	
er.)							
Other	2ga2dw	2ga2dw		2ga2dw		toa2dw	
	Pch.Deck,Enc.Pch.	Porch Deck Lo Patio		Porch Patio	0	Pch, Pal, Enc. Pch.	
		X b	75	X - 1- 1		X - 3	
	-		101		- 0	[7], I], b	
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ndicated Monthly Auker Rent Comments on market in If rents and vacancy, an The comparables select vers made for bedroom amounts. All three comp	ed are three currently re ecounts and garages. Al parables were given con		1,770 Rily properties ssions should be ject's immedials	an estimate of vacan adjusted to the market neighborhood as well	1,775 icy for single fami t, not to the subject l as other nearby, c	5.0 5.0 s by rental properties, the property.) competing neighborhood	e general tre s. Adjustmen
The comparables select were made for bedroom	ed are three currently re ecounts and garages. Al parables were given con	4.4 3 ge of rents for single fan adjustments. (Rent concesing the sub-	1,770 Rily properties ssions should be ject's immedials	an estimate of vacan adjusted to the market neighborhood as well	1,775 icy for single fami t, not to the subject l as other nearby, c	5.0 5.0 s by rental properties, the property.) competing neighborhood	e general tre s. Adjustmen
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ndicated Monthly Market Rent Comments on market of all rents and vacancy, an ill rents made for bedroom amounts. All three comp iquare foolage and similar inal Reconciliation of ill onsideration was given the person signed the person signed the person signed the control of ill are Certification if of State License if 40 if State License if	de dans three avere given con lar 5 bedroom design. Market Rent: All three of to Comparable 2 for its to Comparable 2 for its 1/05/2018	ge of sents for single fan adjustments. (Rent concesented homes from the sub-Rer the adjustment processideration in estimating the comparables were given coveral similarity.)	1,770 Billy properties ssions should be spect's immediate s was complete e subject's mon consideration in SUPE Supe Supe Date A Question Output And Outpu	an estimate of vacan adjusted to the market neighborhood as well d, all three comparable thly market rent. Most estimating the subject RVISORY APPRAISE From Supred enfication 8 e Licenso 9	1,775 ity for single famil t, not to the subject I as other nearby, o es illustrated a nam emphasis was give	5.0 5.0 5.0 5.0 5.0 5.0 5.0 5.0 5.0 5.0	e general tre is. Adjustmen onthly rental is similar y, most 1,775
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EXHIBIT N-1

This form is intended to provide the appraises with a familiar formal to estimate the market rent of the subject property. Adjustments should be made only for items of significant difference between the comparables and the subject property.

THEM SUBJECT COMPARABLE NO 1 COMPARABLE NO 2 FOR HARD ASSES TO THE LEW BACK RIFE NO 3 FOR HARD ASSES TO 4 SEPTIMENT OF ASSESS TO 5 SEPTIMENT OF AS	1269 N. King	E CHRICET				-	FA-No. SG18-309	
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Proximy to Subject Date Lease Begins Date Lease Explese Unknown Annually A	Memorina MA	22000		Rd				
Date Lesse Begins Unknown Annually Annu		23003	The same of the sa		The second secon			
Date Lease Expites Monthly Remail If Currently Review 3 (pichopus 5 900 \$ 995 \$ Lease, Utilizer 5 0 \$ 0 \$ 0 \$ Farmager 5 0 \$ 0 \$ Farmager 5 0 \$ 0 \$ Adjusted Monthly Rend 8 0 \$ 0 \$ 0 \$ Adjusted Monthly Rend 8 0 \$ 0 \$ 0 \$ Date Source Exterior Inspection, City Records Cit							0 40 HWE2 25	
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N. Res, Traffic N. Res, Tr	A mention of the co	N.Res.	N.Res:		N Rec		ALCon.	
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Age/Condition 70	Design and Appeal	Ranch	Colonial	0			The state of the s	_
Average Averag	3	20						
Above Grade Room Count Goss Living Area 1,161 surs 1,168 surs 1,16	Age/Condition		4	0		0		
Room Count Goss Living Area 1, 161 se is 1, 168 se is 0 1, 168 se is 0 1, 143 se is 0 912 se is 1 Differ (a.g. basement. Differ 1gd4dw None Pine Grove Old Fox Hill Old	Above Grade	1			-		Average	
Gins thing Area Other (a.g. basement. Os! Os! Os! Os! Os! Os! Os! Os!								
Osf							4 44	
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Net Adj. (total) X 1 75 X 1 5 5	Dither			+50	1gd4dw :		None :	
ndicated Monthly S.55 Safety 175 Selection of the state of the stat	Una Rati Amerik	Midland				0	Pine Grove	
Addition of the state of the st				501		75	X - ()- 5	
Comments on market data, including the range of rents for single lamity properties, an estimate of vacancy for single family rental properties, the general frents and vacancy, and support for the above adjustments. (Rent concessions should be adjusted to the market, not to the subject property.) The comparables selected are four currently rented homes from the subject's immediate neighborhood as well as other nearby, competing neighborhoods. Adjustment and but new amenity (traffic), bedroom counts, and garages. After the adjustment process was completed, ell four comparables illustrated a narrow range of adjusted monthly rental amounts. All four comparables were given consideration in estimating the subject's monthly market rent.						10.3	5.5	
The comparables selected are four currently rented homes from the subject's immediate neighborhood as well as other nearby, competing neighborhoods. Adjustment process was completed, ell four comparables allustrated a narrow range of adjusted monthly rental amounts. All four comparables were given consideration in estimating the subject's monthly market rent.	Commerce on market	data leghadlen the sea		7301	-13	970	5.6 \$	
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at estational and subjects monthly market rent								
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ppraiser Supervisory appraiser (only if required) Signature are Jett pl. Elignon Morne atc Report Signed Into Certification # 4001003646 State VA State Certification # State (State University # State Constitution # State St	OVE) ESTIMATE THE MEDITAL PRAISER OTHER SERVICE STATE OF AUTOMOTION AND AUTOMOTION AUTOMOTION AND AUTOMOTION AND AUTOMOTION AND AUTOMOTION AND AUTOMOTION AND AUTOMOTION AUTOMOTI	WONTHLY MARKET RE	ENT OF THE SUBJECT AS	S OF 10/24/2 SUPEI Signam. Name Date R. A. State C	1018 RVISORY APPRAISEF RE PERI Signed ENGLISHER		TOBES	e
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SUPERVISORY APPRAISER (ONLY IF REQUIRED) Signature Signature Signature Name Jeffind J. Eisignon Name Date Report Signed 11/07/2018 Date Certification # 4001003646 State VA State Certification # State State Literise # State 14 Property Inspected 10/24/2018 Property Inspected Onte Property Inspected Onte Property Inspected	WE) ESTIMATE THE A PPRAISER PRAILER DETERMINE JUST STATE A State Liverse J LE Property Inspected 10 riffed Residential Real	WONTHLY MARKET RE	STATE SUBJECT AS	S OF 10/24/2 SUPEI Signan Name Date R A State Oate Pt	PO18 RVISORY APPRAISEF FE FE FE FE FE FE FE FE FE	3 (ONLY IF REQU	TOBESStat	e e

EXHIBIT
N-2

Case 22-05002-FJS Doc 1 Filed 02/23/22 Entered 02/23/22 17:11:53 Desc Main Document Page 84 of 120

SINGLE FAMILY COMPARABLE RENT SCHEDULE

The form is intended to provide the appraiser with a familiar format to estimate the merket rant of the subject property. Adjustments should be made only for items of significant difference between the comparables and the subject property.

ITEM	SUBJECT	COMPARA	nen-Green & Asso BLE NO. 4		OMPARABI	FNO 5	1		SG18-309	
1200 AL IC		69 Cayafer RD	CONTROL T	1	Aut WEVE	r mu i	-	C(MPARAE	LE NO. 6
Address Hampion, VA		Hampton, VA 23669								
Proximity to Subject		0.27 miles NE					-		_	_
Date Lease Gegins	Unknown	Acrus N.								
Data Lease Expires	Unknown	Annually Annually								
Monthly Rental	If Currently						1			
tess: Uthes	Rented: 5 Unknown		995	5			3			
Funtage	s	\$		1			5			
Adjusted Monthly Rent	3 0	15								
Data Source	Exterior Inspection,	REIN #10164785,DO	995 M 59	1		_	3			_
RENT ADJUSTMENTS	City Records	City Records/Exterior	Inspection							
Rent ADJUSTMENTS	DESCRIPTION	None DESCRIPTION	+ (1) Aquerore	DESCRIP	TION	di Shaaren	DE	SCRIP	ION	+(115A(6.0)
Concessions					1					
incation/View	N.Res, N;Res;Traffic	N;Res,								
Design and Appeal	Ranch	N.Res Ranch	-25		-		-	-		_
ves-3u and vibbers	120									
lge/Condition	70 Average	75 Average	0							
Above Grade	iss ben here	fee barn see		Total Born	l ten	-	100	-		
Room Count	6: 3: 1.00	6 3 200	0	100	NO.		110	.km	Bolto .	
Dinss Living Area Other (e.g., basement,	1,161 Se.FL	1,232 % FC	0		Suls.				Se le	
ec.)	Vai	Osf			1					
Other:	1gd4dw	1ga2dw	0				-		-:	
Pet Adj. (total)	Midland	Cavalier Court	. 0	Tel F	1. 15					
		TAIL D								
	Company of the last		25	x -		U	1) b	
ndicated Monthly Naith Reni Comments on marker (data, including the rand nd support for the above	2.5 -2.5 3 re of sents for signle	970	an astimate o	0.0	0		al prope		c general i
ndicated Monthly Naith Reni Comments on marker (data, including the ran nd support for the above	2.5 -2.5 3 re of sents for signle	970	an astimate o	0.0	0		al prope		e general i
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ndcated Monthly Autor Reni Comments on marker (data, including the ranged data, including the ranged data.	2.5 -2.5 3 re of sents for signle	970	an astimate o	0.0	0		al prope		e general i
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ndcated Monthly Aarter Reni Comments on marker (data, including the range and support for the above	2.5 -2.5 3 re of sents for signle	970	an astimate o	0.0	0		al prope		e general i
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This form is intended to provide the appraiser with a familiar formal to estimate the market rent of the subject property. Adjustments should be made only for items of significant difference between the comparables and the subject property.

	Lauren		en-Green & Asso			144 No. SG18-30912	-
ITEM	SUBJECT	COMPARAS	ILE NO 1	COMPARAE	ILE NO. 2	COMPARABLE	NO 3
Address 400 Cedar Ln	22000	103 Walnut St		29 Westover St		446 Cedar Dr	
Hampion,VA 2	3069	Hampton,VA 23669 0.39 miles NW		Hampion, VA 23669 0.62 miles NW		Hampton, VA 23669	
reaimity to Subject		0.33 1142 (111		O'OS HEREZ LIAA		0.22 miles SW	
Date Lease Begins	Unknown	Annually		Annually		Angually	
Date Lease Expires	Unknown	Annually		Annually		Annually	
Annthly Rental	N Currently						
ess: Utilities	Rented: \$ Unknown		995		850	5	9
Furname	2 0	\$	- 0	3	0	5	
dested		-		,		3	_
Annaly Rent	1 0	3	995	3	850	5	9
Data Source	Exterior Inspection,	REIN #10176375,DOM	4 18	REIN #10179853,DOI		REIN #10222159:DOM 5	
	City Records	City Records/Extenor		City Records/Exterior	Inspection	City Records/Extenor Ins	
RENT ADJUSTMENTS	DESCRIPTION	DESCRIPTION	-G14sures	DESCRIPTION	-f15Alpainwei	DESCRIPTION	41145.000
Concessions		None		None		None	
	N.Res.	N.Res.		N.Res		II Dec	-
ocation/View	N;Res;	N.Res.		N.Res.		N,Res:	
lesign and Appeal	Ranch	Ranch :		Ranch		Ranch :	
on the series at Schools							
ge/Condition	65	65		70	0	64	
bove Grade	Average	Good	-50	Average		Average	
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irnss Living Area	768 Sult	720 Sq.FL.	0	4 2 1.00 750 sets	0	5 3 100 996 sets	-
Other (e.g. basement,	0sf	Os!		Osi	U	Osf	
E)				1			
Other	None	lione		None		None :	
	Fance	Pina Grove		Westover		Pina Grove	
et Arts dentalls			50	X .	0	• X - B	1
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n rents and vacancy, an The comparables select vere made for overall co	id support for the above led are four currently rer ondition, bedroom count	-5.0 s ge of rents for single for adjustments. (Rent conciled homes from the sults, and neighborhood loss.)	amily properties, ressions should be bject's immediate	an estimate of vacani adjusted to the market neighborhood as well a	ty for single fami , not to the subject s other nearby, co	-7.9 s ly rental properties, the or property.) impeting neighborhoods. A	general tren
ndicated Monthly Asiket Rent Domments on market of If rents and vacancy on The comparables select were made for overall, or ange of adjusted month	id support for the above led are four currently rer ondition, bedroom count	-5.0 S ge of rents for single fi- adjustments. (Rent condited homes from the sut s, and neighborhood for un comparables were gi	amily properties, essions should be oject's immediate cabons. After the even considerabor	9.0 \$ an estimate of vacani a adjusted to the market neighborhood as well a adjustment process was not a estimating the subje	cy for single fami , not to the subject s other nearby, co s completed, all fo sects monthly mark	-7.9 S ly rental properties, the gi-property) mpeting neighborhoods. A ur comparables illustrated at rent.	45
dicated Monthly lasket Rent comments on market of trents and vacancy on the comparables select ere made for overalt angle of adjusted month inal Reconciliation of It	or support for the above led are four currently rer condition, bedroom count my rental armounts. All fo	ge of rents for single fi adjustments. (Rent conciled homes from the sut s, and neighborhood for or comparables were gi	amily properties, essions should be bject's immediate cabons. After the iven consideration an account of the consideration and account of the consideration account of the consideration and account of the consideration accoun	an estimate of vacant adjusted to the market market neighborhood as well a adjustment process was not estimating the subject's estimating the estimatin	cy for single fami, not to the subject so the nearby, co sompleted, all forces monthly market remonthly market re-	-7.9 \$ Ily rental properties, the groperty) impeling neighborhoods. A ur comparables illustrated at rent. nt.	general tren
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EXHIBIT
N-3

This form is intereled to provide the appraises with a familiar format to estimate the market rent of the subject property. Adjustments should be made only for items of significant difference between the comparables and the subject property.

ITEM 400 Cedar Ln Hampion VA	JUDUELI	SUBJECT COMPARABLE NO 4		CO	MPARABL	ENO.5	1	CO	LIDADAI	SLE NO. 6
Hampine VA		6 Salem St			TO POOR	L 190, 3	+	CU	MEAKA	NE NO. 6
Figurity Co., 471		Hampton, VA 23569								
roximity to Subject		0.86 mäes SW		100						
ata Lease Begins	Unknown	Annually	-		_	_	-			
ato Leaso Explies	Unknown	Annually								
onthly Rental	If Currently								-	
as. Utities	Rented: 1 Unknown	3	850	3		-	3			
Furnture	i v	3		1:			\$			
Justed							1			
untily Reno		5	850	3			<u> s</u>			
ta Source	Exterior Inspection, City Records	REIN #10211387,DOA City Records/Exterior I	163							
ENT ADJUSTMENTS	DESCRIPTION	DESCRIPTION	(45 Aquarwa	DESCRIPTI	ON :	-fishbarren	O.E.	SCRIPT	100	
ni		None :	111111111111111111111111111111111111111	DLJGRa 1	-	-11 Eventures	- DE	SCIUPI	ION .	+(3.5 Acp.or
ncessions										
ation/View	N,Res,	N.Res			-					
	N,Res;	N.Res.			<u>:</u>					
sign and Appeal	Ranch	Ranch								
e/Condition	65	50	0		-		-			
	Average	Average								
ove Grade	Joed Born Barra	led form farm		lied Born	No.		Int	lam	late	
om Count Iss Living Area	5 2 1.00	4 2 1.00								
er (a.g. basement.	768 Sell.	776 Se (s.)	0		Salt		_		Salt	
1	ŲSI	Uai								
NET	None	None :			-					
		Chambersville	+25		_					
Adj. (total)		[X] B	25) B		ÌD٠		J- \$	
cated Monthly kel Rent		29 29 1	875	THE T	20					
rants and vacancy ar	nd support for the above	adjustments (Rent conc	essions should be	e adjusted to the	markel, r	na to the subjec	t proper	ty.)		
niments on market rents and vacancy ar	nd support for the above	alījustmenis (Rant conci	essions should be	e adjusted to the	market. r	not to the subjec	t proper	19.)		
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zents and vacancy at	nd support for the above	adjustments (Rent conc	essions should be	adjusted to the	markel, e	nal to the subject	t proper	19.)		
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This form is intended to provide the appraiser with a familiar forms to astimute the market rent of the subject property. Adjustments should be made only for sems of significant difference between the comparables and the subject property.

			inen-Green & Asso	clates, Inc.		Intelle SG18-	309120
ITEM	SUBJECT		IBLE NO. 1	COMPARA	SLE NO 2	COMPA	RABLE NO 3
Address 112 Beverly S		193 Walnul St		402 Pine Grove Ave		446 Cedar Dr	
Hampion, VA 2	3669	Hampton, VA 23669		Hampion, VA 23669		Hampton VA 2366	9
Ргочинку во Бибјест		0.18 miles SW		0 15 miles SE		0.55 miles SE	
Date Lease Begins	Unknown	Annually		Annually.			
Date Lease Exples	Unknown	Annually		Annually		Annually	
Monthly Rental	If Currently	1000		MEGGA		Annually	
	Rented, \$ Unknown	3	995	\$	895	5	D/C
Less. Utilities	1 0	\$	0			3	
Furniture	5	3		1		\$	
Adjusted							
Montely Rent		3	995		895		95
Data Source	Extenor Inspection.	REIN #10176375;DO		REIN #10180477 DOI		REIN #10222159,0	OOM 5
RENT ADJUSTMENTS	DESCRIPTION	City Records Exterior		City Records/Exterior		City Records/Enter	
Rent	DESCRIPTION	DESCRIPTION	-101 Apresid	DESCRIPTION	HAS Administra	DESCRIPTION	-H15quises
Concessions	0	None		None		None	
	N:Ras.	N.Ras	-	110.			
Location/View	N.Ras.	N,Res.		N Res		N,Res,	
	Ranch	Ranch		Ranch :		N Res	
Design and Appeal		100		Nation		Ranch	
Last Cartes	66	65	. 0	56		64	-
Age/Condition	Ачегафе	Good	-50	Average		Average	(
Above Grade	Yes . None : Sens	led Sen Sen	1	led then then			
Room Count	71 31 100	4 2 100	+75	6 3 100	0	5 3 16	
Gross Livery Area	1,440 (4.1)	720 sq fc		864 to 11	+50	996 to 1	
Other (e.g. basement.	Gs!	Osf		120		Ost	-
esc.)							1
Other	Det. Garage	None	+50	None	+50	None	: +50
	Pine Grove	Pine Grove		Pina Grove		Pina Grove	
	The State of the S	X - 3	135	X - 3	100	X - 1-1	90
the same of the sa							
Indicated Monthly	- 7 - 5	216		11 2		9.5	
ndicated Monthly Market Rent Comments on market of of rents and vacancy an The comparables select were made for overall or	ed ara four currently re- andition, bedroom coun	ge of rents for single adjustments. (Rent control the single source from the single source footages and	scessions should be ubject's immediate : ud detached carane	an estimate of vacant adjusted to the market neighborhood as well a	not to the subject s other nearby, co	ly rental properties property.) moeting neighborhood	the general trend
Indicated Monthly Market Rent Comments on market of of rents and vacancy an The comparables select were made for overall or	ed ara four currently re- andition, bedroom coun	ge of rents for single adjustments. (Rent control the single source from the single source footages and	family properties ressions should be ubject's immediate out detached marane	an estimate of vacant adjusted to the market neighborhood as well a	ty for single fami not to the subject s other nearby, co	ly rental properties property.) moeting neighborhood	the general trend
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Michael Monthly Markel Rent Comments on market of oil rents and vacancy an The comparables select were made for overal oc a narrow range of adjust Final Reconciliation of M Final Reconciliation of M PPRAISER The Report Signed 11 tate Certification # 40 If Stata Liberse # 40 If Stata Liberse # 40	do support to the above ed are four currently resolution, bedroom counted amonthly restal arror and arket Rent: All four control was the support of the supp	ge of rents for single adjustments. (Rent control of the single adjustments from the sits square footages and sits. All four comparables were given omparables were given.)	TAS OF 10/247 TAS OF 10/247 SUPE State (an estimate of vacant adjusted to the market neighborhood as well as s. After the adjustment sideration in estimating the subject's streaming the subject is streaming	ey for single famil, not to the subject softer nearby, co process was come the subject's monthly market re-	ly rental properties property.) more type and the property of	the general trend ods. Adjustments arables illustrated

EXHIBIT

W-4

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SINGLE FAMILY COMPARABLE RENT SCHEDULE

This form is interested to provide the appraises with a femiliar format to estimate the market rent of the subject property. Adjustments should be made only for items of significant difference between the comparables and the subject property.

ITEM	SUBJECT	COMPARAE	nen-Green & Associ BLE NO. 4	COMPARAB	LE NO. 5	FINE. SG18-30.	minus.
Iddiess 112 Beverly S	1	105 Forrest St		15001000		CONFARM	LL NO. 0
Hamplon, VA 2	23669	Hampton, VA 23669					
roximity to Subject	100	0.12 miles SW					
ale Lease Begins	Unknown	Annually					
ata Leaso Espires	Unknown	Annualy					
onthly Rental	Rented: 5 Unknown						
ess. Indices	2 D	3	950	\$		\$	
Furnture	1	\$	0			3	
djusted loranily Rem							
	Exterior Inspection,	1 REIN #10189858,DOI	950	5		2	
inta Source	City Records	City Records/Exterior	M 20 lespection				
RENT ADJUSTMENTS	DESCRIPTION	DESCRIPTION	distance.	DESCRIPTION	-111Abarus	DESCRIPTION	d114mm
ient oncessions		None					414.5
ocation/View	N,Ras,	N.Res.		1			
	Ranch	NiRes Ranch				-	
esign and Appeal							
ge/Condaton	66	68	0	1			_
bove Grade	Ayerage	Average		1			
dom Count	7 3 100	6 3 1,00	0	Tel bes bes		Ind tom Man	
ross Living Area	1,440 to tu	999 St FL:	-40	da.tr.		Sq.Ft.	
ther (e.g. basement.	Osf	0sf				1	
	Det Garage	Det Garage				- 1	
44 PC1	Pine Grove	Pine Grove					
et Adj. (total) dicated Monthly		Х + В	40	I. [] b		11 11 11	
CONTRACTOR DESCRIPTION OF THE PARTY OF THE P							
arket Rent Omments on market o	sata including the ranged Support for the above	4.2 42 3 ge of rents for single fi adjustments. (Reni cond	amily properties tessions should be	\$ an estimate of vacance adjusted to the market	y for strigle fam not to the subjec	\$ ily sental properties, th t property.)	e Çeneral I
larket Rent Comments on market o	data including the rani d Support for the above	42 S	amily rennerties	\$ an estimate of vacanc; adjusted to the market	y for strigle fam not to the subjec		e general 1
larket Rent Omments on market o	data including the rani of support for the above	42 S	amily rennerties	\$ an estimate of vacance adjusted to the market	y for single fam not to the subject		e çeneral i
larket Rent Omments on market o	data including the rani	42 S	amily rennerties	\$ an estimate of vacance adjusted to the market	y far single fam not to the subjec		e general i
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arket Rent Omments on market o	data including the rang	42 S	amily rennerties	\$ an estimate of vacance adjusted to the market	y for strigte fam not to the subjec		e general 1
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Case 22-05002-FJS Doc 1 Filed 02/23/22 Entered 02/23/22 17:11:53 Desc Main Document Page 90 of 120

SINGLE FAMILY COMPARABLE RENT SCHEDULE

This form is intended to provide the appraiser with a familiar format to estimate the market term of the subject property. Adjustments should be made only for terms of significant difference between the comparables and the subject property.

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CHAMPLIN & FOREMAN, PLLC

1919 Huguenot Road North Chesterfield, Virginia 23235 Telephone: (804) 379-1900 Fax: (804) 379-5407

June 5, 2020

VIA U.S. MAIL ONLY

Hon. Linda Batchelor Smith Hampton Circuit Court P.O. Box 40 237 N. King Street Hampton, VA 23669

Re: Cruz Elisa Matilde de Sosa a/k/a Eliza Sosa v. Michelle Irena Sosa,

Administratrix for the Estate of Juan Manuel Sosa Avila, and Miguel Sosa

<u>Avila</u>

Case No.: CL19-496-00

Dear Hon. Linda Batchelor Smith:

I hope your office is doing well. Please file the attached Motion and Decree in your usual manner.

Ms. Durham is also Cc'd on this correspondence as we previously discussed the pleadings with her via email and telephone.

Please do not hesitate to contact us if you have questions or require further information.

Sincerely,

Brian L. Fayman, Esq.

BLF/yg

(Enclosures)

Cc: E. Wayne Powell, Esq (via email only)

Geril Garcia (via email only)
Ms. Beth Durham (via email)

EXHIBIT 8

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF HAMPTON

CRUZ ELISA MATILDE DE SOSA, AKA ELIZA SOSA, <i>Plaintiff</i> ,)	
v.)	Case No.: CL19000496-00
MICHELLE IRENE SOSA,)	
Administratrix for the Estate of)	
Juan Manuel Sosa Avila)	
and)	
)	
MIGUEL SOSA AVILA,)	
An Individual,)	
and)	
SAMUEL I. WHITE, P.C.,)	
Trustee,)	
and)	
NECTAR PROJECTS INC.,)	
Trustee,)	
and)	
EQUITY TRUSTEES, LLC,)	
Trustee,)	
and)	
PRLAP, INC.,)	
Trustee,)	
and)	
MIDLAND FUNDING LLC,)	
Judgment Creditor,)	
and)	
TIDEWATER FAMILY HEALTH)	
CENTERS LTD.,)	
Judgment Creditor,)	
and)	
FEDERAL NATIONAL MORTGAGE)	
ASSOCIATION,)	
Creditor,)	
and)	
BANK OF AMERICA, N.A.,)	
Creditor,)	
and)	
SELECT PORTFOLIO SERVICING,)	
INC.,)	
Creditor,)	
Defendants.		

MOTION FOR DECREE OF REFERENCE

Comes now your Petitioner, Cruz Elisa Matilde De Sosa a/k/a Eliza Sosa, hereinafter (the "Plaintiff") by Counsel, and respectfully moves the Court for the entry of a Decree of Reference referring certain matters in this cause to J. Robert Harris, III, Esquire, as a Commissioner in Chancery, there being good cause in this matter for the appointment of a Commissioner in Chancery who will inquire and report as follows:

- 1. The real estate owned by defendant, MIGUEL SOSA AVILA (the "Defendant"), wheresoever located in Hampton, Virginia: including, but not limited to the following properties:
 - a. 253 Beauregard Heights, Hampton, Virginia 23669 ("Property 1")
 - b. 1269 North King Street, Hampton, Virginia 23669 ("Property 2")
 - c. 400 Cedar Drive, Hampton, Virginia 23669 ("Property 3")
 - d. 112 Beverly Street, Hampton, Virginia 23669 ("Property 4")
 - e. 329 Walnut Street, Hampton, Virginia 23669 ("Property 5")
- 2. An account of all delinquent taxes on the real estate and all other liens binding on the real estate, the amounts, and the order of their priorities.
- 3. The rental value and fee simple value of the real estate owned by the Defendant, and whether the rents and profits therefrom will in five (5) years satisfy the liens binding on same, if rented out by decree of Court.
- 4. To ascertain and report whether all parties in interest are properly before the Court.
- 5. To report all matters deemed pertinent by the Commissioner, and such matters concerning, which he requested to report by any party in interest, if the same be pertinent to the issues in this cause.

Respectfully Submitted,

CRUZ ELISA MATILDE DE SOSA

By:

Counsel

Counsel for Plaintiff

E. Wayne Powell, Esq (VSB# 19550) Powell Law Group, PC 14407 Justice Road Midlothian, Virginia 23113-6902 Phone: (804) 794-4030

Facsimile: (804) 794-4030

Co-Counsel for Plaintiff

By: ____

Brian L. Fayman, Esq. (VSB# 80351)

CHAMPLIN & FOREMAN, PLLC

1919 Huguenot Road

North Chesterfield, Virginia 23235

Telephone: (804) 379-1900 Facsimile: (804) 379-9547 bfayman@cflawrva.com

CERTIFICATE OF SERVICE

We hereby certify that a true copy of the foregoing Decree was mailed first class, postage prepaid, this 5th day of June 2020, to the following:

MICHELLE IRENE SOSA, Administratrix for the Estate of Juan Manuel Sosa Avila, 253 Beauregard Hts., Hampton, Virginia 23669;

David S. Dildy, Esq. Robert E. Long and Associates, Ltd 5 West Queen's Way Hampton, VA 23669;

MIGUEL SOSA AVILA, Individual 253 Beuregard Hts. Hampton, VA 23669;

William Adam White, Registered Agent for: SAMUEL I. WHITE, P.C., Trustee, 5040 Corporate Woods Dr, Suite 120, Virginia Beach, VA 23462;

Tina B. McDaniel, Registered Agent for: NECTAR PROJECTS INC., Trustee, 1402 Ribbon Limestone Terrace SE Leesburg, VA 20175;

Howard N. Bierman, Registered Agent for: EQUITY TRUSTEES, LLC Trustee, 2101 Wilson Blvd., Suite 1004, Arlington, VA 22201;

CT Corporation System, Registered Agent for: PRLAP, INC., Trustee, 4701 Cox Road, Suite 285, Glenn Allen, VA 23060;

Corporation Service Company, Registered Agent for: MIDLAND FUNDING LLC, Judgment Creditor 100 Shockoe Slip, 2nd Floor, Richmond, VA 23219;

TIDEWATER FAMILY HEALTH CENTERS LTD., Judgment Creditor P.O. Box 184, White Marsh, VA 23183; Ron Jean, Registered Agent for: FEDERAL NATIONAL MORTGAGE ASSOCIATION, Creditor, 3900 Wisconsin Avenue NW, Washington, D.C. 20016;

CT Corporation System Registered Agent for: BANK OF AMERICA, N.A., Creditor, 4701 Cox Road, Suite 285, Glen Allen, VA 23060;

Corporation Service Company, Registered Agent for: SELECT PORTFOLIO SERVICING, INC., Creditor, 100 Shockoe Slip, 2nd Floor, Richmond, VA 23219;

J. Robert Harris, III Hampton Commissioner in Chancery 34 Queens Way Hampton, VA 23669.

Counsel for Plaintiff

E. Wayne Powell, Esq (VSB# 19550)

Powell Law Group, PC

14407 Justice Road

Midlothian, Virginia 23113-6902

Phone: (804) 794-4030 Facsimile: (804) 794-6576

Co-Counsel for Plaintiff

By: Brian L. Fayman, Esq. (VSB# 80351)

CHAMPLIN & FOREMAN, PLLC

1919 Huguenot Road

North Chesterfield, Virginia 23235

Telephone: (804) 379-1900 Facsimile: (804) 379-9547 bfayman@cflawrva.com

EXHIBIT 9

VIRGINIA:

Defendants.

IN THE CIRCUIT COURT OF THE CITY OF HAMPTON CRUZ ELISA MATILDE DE SOSA, AKA ELIZA SOSA, Plaintiff, Case No.: CL19000496-00 v. MICHELLE IRENE SOSA, Administratrix for the Estate of Juan Manuel Sosa Avila and MIGUEL SOSA AVILA, An Individual, and SAMUEL I. WHITE, P.C., Trustee, and NECTAR PROJECTS INC., Trustee, and EQUITY TRUSTEES, LLC, Trustee, and PRLAP, INC., Trustee, and MIDLAND FUNDING LLC, Judgment Creditor, and TIDEWATER FAMILY HEALTH CENTERS LTD., Judgment Creditor, and FEDERAL NATIONAL MORTGAGE ASSOCIATION, Creditor, and BANK OF AMERICA, N.A., Creditor, SELECT PORTFOLIO SERVICING, INC., Creditor,

CHANCERY DECREE OF REFERENCE

This cause, which has been regularly matured upon Complaint, by Plaintiff, and Answers, where filed of the Defendants and/or Trustees, and upon Motion by the Plaintiff.

Upon consideration whereof, this cause is referred to J. Robert Harris, III, one of the Commissioners in Chancery of this Court, who will inquire and report as follows:

- The real estate owned by defendant, MIGUEL SOSA AVILA (the "Defendant"), wheresoever located in Hampton, Virginia: including, but not limited to the following properties:
 - a. 253 Beauregard Heights, Hampton, Virginia 23669 ("Property 1")
 - b. 1269 North King Street, Hampton, Virginia 23669 ("Property 2")
 - c. 400 Cedar Drive, Hampton, Virginia 23669 ("Property 3")
 - d. 112 Beverly Street, Hampton, Virginia 23669 ("Property 4")
 - e. 329 Walnut Street, Hampton, Virginia 23669 ("Property 5")
- An account of all delinquent taxes on the real estate and all other liens binding on the real estate, the amounts, and the order of their priorities.
- 3. The rental value and fee simple value of the real estate owned by the Defendant, and whether the rents and profits therefrom will in five (5) years satisfy the liens binding on same, if rented out by decree of Court.
- To ascertain and report whether all parties in interest are properly before the Court.
- 5. To report all matters deemed pertinent by the Commissioner, and such matters concerning, which he requested to report by any party in interest, if the same be pertinent to the issues in this cause.

ENTER:

Judge

DATE:

WE ASK FOR THIS:

Counselfor Plaintiff

By: // E. Wayne Powell, Esq (VSB# 19550)

Powell Law Group, PC

14407 Justice Road

Midlothian, Virginia 23113-6902

Phone: (804) 794-4030 Facsimile: (804) 794-6576

Co-Counsel for Plaintiff

CHAMPLIN & FOREMAN, PLLC

1919 Huguenot Road

North Chesterfield, Virginia 23235

Telephone: (804) 379-1900 Facsimile: (804) 379-9547 bfayman@cflawrya.com

SEEN AND

David S. Dildy, Esq.

Robert E. Long and Associates, Ltd

5 West Queen's Way

Hampton, VA 23669

Counsel for Defendant, Miguel Sosa Avila

CERTIFICATE OF SERVICE

We hereby certify that a true copy of the foregoing Decree was mailed first class, postage prepaid, this 5th day of June 2020, to the following:

MICHELLE IRENE SOSA, Administratrix for the Estate of Juan Manuel Sosa Avila, 253 Beauregard Hts., Hampton, Virginia 23669;

David S. Dildy, Esq. Robert E. Long and Associates, Ltd 5 West Queen's Way Hampton, VA 23669;

William Adam White, Registered Agent for: SAMUEL I. WHITE, P.C., Trustee, 5040 Corporate Woods Dr, Suite 120, Virginia Beach, VA 23462;

Tina B. McDaniel, Registered Agent for: NECTAR PROJECTS INC., Trustee, 1402 Ribbon Limestone Terrace SE Leesburg, VA 20175;

Howard N. Bierman, Registered Agent for: EQUITY TRUSTEES, LLC Trustee, 2101 Wilson Blvd., Suite 1004, Arlington, VA 22201;

CT Corporation System, Registered Agent for: PRLAP, INC., Trustee, 4701 Cox Road, Suite 285, Glenn Allen, VA 23060;

Corporation Service Company, Registered Agent for: MIDLAND FUNDING LLC, Judgment Creditor 100 Shockoe Slip, 2nd Floor, Richmond, VA 23219;

TIDEWATER FAMILY HEALTH CENTERS LTD., Judgment Creditor P.O. Box 184 White Marsh, VA 23183;

Ron Jean, Registered Agent for: FEDERAL NATIONAL MORTGAGE ASSOCIATION, Creditor, 3900 Wisconsin Avenue NW, Washington, D.C. 20016;

CT Corporation System Registered Agent for: BANK OF AMERICA, N.A., Creditor, 4701 Cox Road, Suite 285, Glen Allen, VA 23060;

Corporation Service Company, Registered Agent for: SELECT PORTFOLIO SERVICING, INC., Creditor, 100 Shockoe Slip, 2nd Floor, Richmond, VA 23219;

J. Robert Harris, III Hampton Commissioner in Chancery 34 Queens Way Hampton, VA 23669.

Counsel for Plaintiff

By: Moura Pavall Fac (VSP# 19550)

E. Wayne Powell, Esq (VSB# 19550)

Powell Law Group, PC 14407 Justice Road

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Phone: (804) 794-4030 Facsimile: (804) 794-6576

Co-Counsel for Plaintiff

By: _____ Fsq. (VSR# 8035

Brian L. Fayman, Esq. (VSB# 80351) CHAMPLIN & FOREMAN, PLLC

1919 Huguenot Road

North Chesterfield, Virginia 23235

Telephone: (804) 379-1900 Facsimile: (804) 379-9547 bfayman@cflawrva.com I certify that the document to which this authentication is affixed is a true copy of an original record in the Hampton Circuit Court, that I have the custody of the record and I am the custodian of that record.

LINDA BATCHELOR SMITH, CLERK

Deputy Clerk

EXHIBIT 10

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF HAMPTON

CRUZ ELISA MATILDE DE SOSA, AKA ELIZA SOSA,

Plaintiff,

v. CASE NO.: CL19-496

MICHELLE IRENE SOSA, et als,

Defendants.

REPORT OF COMMISSIONER

By Decree of Reference entered, your Commissioner was referred to report on the inquiries set forth therein, and your Commissioner reports as follows:

 Upon initial inquiry, your Commissioner notes that the Default Judgment entered by this Court on March 26, 2019, (the Judgment) was against, inter alia, Miguel Sosa Avila. (Exhibit A of Complaint) The real properties (the "Properties") that were the subject of the Decree of Reference are titled as follows:

Property		Title Owner
Property 1	253 Beauregard Hgts, Hampton, Virginia	Miguel A. Sosa
Property 2	1269 N. King Street, Hampton, Virginia	Miguel A. Sosa
Property 3	400 Cedar Drive, Hampton, Virginia	Miguel Sosa
Property 4	112 Beverly Street, Hampton, Virginia	Miguel A. Sosa
Property 5	329 Walnut Street, Hampton, Virginia	Miguel A. Sosa
Other:	431 Walnut Street, Hampton, Virginia	Miguel Sosa

2. Upon investigation by your Commissioner, and information provided by Plaintiff's counsel, Miguel A. Sosa and Miguel Sosa Avila (also known as Miguel Sosa Avilia, Miguel Sosa-Avilia, Miguel Angel Sosa Avilia and Miguel Angel Sosa) and are one and the same person. That information is as follows: Commissioner's Exhibit 1 – Abstract of Judgment against Miguel Sosa Avilia whose address is 253 Beauregard Hts, Hampton, Virginia (Property 1) by the Hampton General District Court dated December 20, 2016.

Commissioner's Exhibit 2 – Abstract of Judgment against Miguel A. Sosa whose address is 253 Beauregard Hts, Hampton, Virginia (Property 1) by the Hampton General District Court dated June 25, 2019.

Commissioner's Exhibit 3 – Garnishment Summons issued against Miguel Sosa-Avilia whose address is 253 Beauregard Hgts, Hampton, Virginia (Property 1) and last four digits of his Social Security Number are "1639", by the Hampton General District Court dated October 2, 2018.

Commissioner's Exhibit 4 – Judgment Affidavit sworn to by Miguel A. Sosa stating that the last four digits of his Social Security Number are "1639" dated February 7, 2020.

Commissioner's Exhibit 5 – Virginia Uniform Summons (traffic) citing Miguel A. Sosa residing at 253 Beauregard Hgts, Hampton, Virginia (Property 1), date of birth July 18, 1969 and Operators License #T60392645.

Commissioner's Exhibit 6 – Virginia Uniform Summons (traffic) citing Miguel Angel Sosa Avila residing at 253 Beauregard Hgts, Hampton, Virginia (Property 1), date of birth July 18, 1969, and Operators License #T6039345.

Commissioner's Exhibit 7 – Report of Divorce or Annulment filed in the Circuit Court for the City of Hampton, Virginia in which the husband is named Miguel Angel Sosa, date of birth July 18, 1969, Social Security Number 230-67-1639, whose usual residence is 1269 North King Street, Hampton, Virginia (Property 2).

Based on the above, the evidence is clear and convincing that Miguel A. Sosa, Miguel Sosa Avila, Miguel Sosa-Avilia, Miguel Angel Sosa Avila and Miguel Angel Sosa are one and the same person and a proper party.

3. Your Commissioner was directed to make the inquiries on the real properties named in the Decree of Reference and your Commissioner reports as follows:

Property 1 - 253 Beauregard Heights

The property is titled in the name of Miguel A. Sosa solely. (Exhibit C of Complaint) There is a deed of trust on the real property recorded as Document #130012787 dated July 17, 2013, to Samuel I. White P.C., Trustee securing Bank of America, N.A. in the original amount of \$203,100.00 due in full on or before August 1, 2043, and assigned to the Federal National Mortgage Association in Document #150013728 (Exhibit D of Complaint). Real estate taxes and storm water fees are current through June 2021 (Commissioner's Exhibit 8).

Property 2 - 1269 North King Street

The property is titled in the name of Miguel A. Sosa solely (Exhibit E of Complaint). There is a deed of trust on the real property recorded as Document #060021083 dated August 14, 2006 to PRLAP, Inc., Trustee securing Bank of

America, N.A. in the original amount of \$124,000.00 due in full on or before September 1, 2036, and assigned to OCWEN LOAN SERVICING, LLC in Document #170004783 (Exhibit F of Complaint). Real estate taxes are current and paid through June 2021 (Commissioner's Exhibit 9).

Property 3 - 400 Cedar Drive

The property is titled in the name of Miguel Sosa solely (Exhibit G). There is a credit line deed of trust on the real property recorded as Document #060020935 dated June 5, 2006, to PRLAP, Inc., Trustee, securing Bank of America, N.A. in the original amount of \$70,000.00 due in full on or before June 5, 2031 (Exhibit H of Complaint) and assigned to GREENWICH REVOLVING TRUST in Document #200000336 (Commissioner's Exhibit 10). A Substitute Trustee was appointed in Document #190005603. (Commissioner's Exhibit 1) A Notice of Default was filed by Citibank as Document #190005876. (Commissioner's Exhibit 12) Taxes on the real property are current through June 2021. (Commissioner's Exhibit 13).

Property 4 – 112 Beverly Street

The property is titled in the name of Miguel A. Sosa solely (Exhibit I of Complaint). There is a credit line deed of trust on the real property recorded as Document #060020687 dated June 5, 2006, to PRLAP, Inc., Trustee securing Bank of America, N.A. in the original amount of \$90,000.00 due in full on or before June 5, 2031 (Exhibit J of Complaint). Taxes are current through June 2021 (Commissioner's Exhibit 14).

Property 5 -329 Walnut Street

The Property is titled in the name of Miguel Sosa solely (Exhibit K of Complaint). There is no deed of trust recorded against the real property. Taxes on the real property are current through June 2021. (Commissioner's Exhibit 15).

Other Real Property - 431 Walnut Street

The property is titled in the name of Miguel Sosa solely (Commissioner's Exhibit 16). There is no deed of trust recorded against the real property. Taxes are current through June 2021. (Commissioner's Exhibit 17). There is an unsatisfied Judgment against the prior owner, Sheryl L. Jones, in the amount of \$768.10 dated December 22, 2011, which constitutes a prior lien on the property (Commissioner's Exhibit 18).

4. Your Commissioner finds that deed of trust liens are recorded against Property 1 in an original amount of \$203,100.00 in July 2013; Property 2 in an original amount of \$124,000.00 in August 2006; Property 3 in the original amount of \$70,000.00 in June 2006; and Property 4 in the original amount of \$90,000.00 in June 2006. The liens total \$487,100.00. The status of the liens, interest rates, and monthly payments are unknown. All are first liens on the respective properties.

A Judgment by Midland Funding LLC against Miguel Sosa-Avilia was docketed subsequent to the Plaintiff's Judgment and therefore is an inferior lien to Plaintiff's Judgment. A Judgment against a prior owner of "Other Property" was noted hereinabove and constitutes a valid lien on that real property.

- 5. The rental value of the properties are estimated from Exhibit N-A through N-5 of the Complaint. Rent for Property 1 was estimated at \$1,775.00/month; Property 2 at \$950.00/month; Property 3 at \$875.00/month; Property 4 at \$1,000.00/month; Property 5 at \$875.00/month. The Property at 431 Walnut is estimated by your Commissioner to be similar to Property 5 at \$875.00/month for a total potential rental income of \$6,350.00. The Judgment, that is sought to be collected by this proceeding, is for \$300,000.00 docketed in April 2018 with interest beginning in February 2004. At the Judgment rate of interest at six percent (6%), the annual interest is \$18,000.00, which totals well over \$310,000.00 currently. The annual rents minus estimated mortgage payments, taxes and insurance, would not be sufficient to satisfy the lien in five (5) years.
- 6. Your Commissioner estimates the fee simple value of the properties to be the value assessed by the City of Hampton, as follows:

Property 1	\$269,300.00
Property 2	\$116,700.00
Property 3	\$ 83,000.00
Property 4	\$135,300.00
Property 5	\$ 84,900.00
Other property (Walnut Street)	\$ 92,900.00
TOTAL ASSESSED VALUE	\$782,000.00

This does not take into account the condition of the interior of the properties and also the most recent increase in demand for real estate and the resulting substantial increases in sales prices. A sale of all of the properties may be sufficient to pay off the Judgment if the deed of trust notes are current, or at least satisfy a large portion of the Judgment.

7. If the Court entered an Order for the sale of the Properties, the Properties would be sold subject to the existing Deeds of Trust, Judgments and taxes, if any, by a Special Warranty deed. The burden would be on a purchaser of any of the Properties to clear these liens. Therefore, your Commissioner finds that the proper parties in interest are before the Court.

Therefore, your Commissioner recommends that the Plaintiff's relief be granted and that a Special Commissioner be appointed for the purpose of selling the Properties by means the Special Commissioner, with Court approval, deems appropriate to obtain the highest value from the Properties which are to be applied to the Special Commissioner's fees and toward payment of the Judgment.

Respectfully submitted,

J. Robert Harris, III, Commissioner

J. Robert Harris, III 34 West Queens Way Hampton, VA 23669

VSB#15759

Telephone: (757) 722-2131 Facsimile: (757) 722-6411 bob@jrobertharrislaw.com

EXHIBIT 11

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF HAMPTON

CRUZ ELISA MATILDE DE SOSA,)
AKA ELIZA SOSA,)
Plaintiff,)
v.) Case No.: CL19000496-00
MICHELLE IRENE SOSA,	1
Administratrix for the Estate of	í ·
Juan Manuel Sosa Avila)
and	1
	,
MIGUEL SOSA AVILA,	(
An Individual,	,
and	2
SAMUEL I. WHITE, P.C.,	2
Trustee,	2
and)
NECTAR PROJECTS INC.,)
Trustee,)
and)
EQUITY TRUSTEES, LLC,)
Trustee,)
and)
PRLAP, INC.,)
Trustee,)
and)
MIDLAND FUNDING LLC,)
Judgment Creditor,)
and)
TIDEWATER FAMILY HEALTH)
CENTERS LTD.,)
Judgment Creditor,)
and)
FEDERAL NATIONAL MORTGAGE	j i
ASSOCIATION,	Ś
Creditor,	j
and	j.
BANK OF AMERICA, N.A.,	ý.
Creditor,)
and)
SELECT PORTFOLIO SERVICING,	1
	,
INC.,	,
Creditor, Defendants.	,

DECREE CONFIRMING COMMISSIONER'S REPORT AND ORDERING SALE

This cause came to be considered by the court upon all former proceedings herein and papers formerly read, including, but not limited to the Complaint filed, the Decree of Reference, and upon the report of the J. Robert Harris (the "Commissioner in Chancery"), filed June 14, 2021, to which report no exceptions have been filed.

Upon consideration whereof, it appears to the Court that the report of the Commissioner in Chancery, has been filed for more than sixty (60) days, and no exceptions have been filed, and the report is accordingly ratified, approved, and confirmed in all responses.

It appearing to the Court that the property is subject to the valid and binding liens set forth in the report of the Commissioner in Chancery, and it further appearing that the rents and profits from the hereinafter described property are not sufficient to satisfy the liens within a five (5) year period, the Court being in concurrence with the opinion of the Commissioner in Chancery, that the properties be sold to satisfy the liens binding thereon, the Court does ADJUDGE, ORDER AND DECREE, that the tracts of land be sold, and that GREG BLANCHARD, Esq. be, and is appointed Special Commissioner of this Court to make the sale of the real estate hereinafter described under the direction of the Court in this Cause.

And the Court does ORDER that GREG BLANCHARD, Special Commissioner, offer for sale by public auction and/or by retaining a real estate agent in order to maximize the sale price of tracts of land as follows that are situated in the City of Hampton, Virginia, to-wit:

- a. 253 Beauregard Heights, Hampton, Virginia 23669 ("Property 1")
- b. 1269 North King Street, Hampton, Virginia 23669 ("Property 2")
- c. 400 Cedar Drive, Hampton, Virginia 23669 ("Property 3")

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- d. 112 Beverly Street, Hampton, Virginia 23669 ("Property 4")
- e. 329 Walnut Street, Hampton, Virginia 23669 ("Property 5")
- f. 431 Walnut Street, Hampton, Virginia 23669 ("Other Property")

The Court does further direct the Special Commissioner to report to the Court how he

proceeds under this decree.

ENTER:

Judge

certify that the document to which this authentication is affixed is a

true copy of an original record in

DATE

WE ASK FOR THIS:

Counsel for Plaintiff

E. Wayne Powell, Esq. (VSB# 19550)

Powell Law Grup, PC

14407 Justice Road

Midlothian, Virginia 23113-6902

Phone: (804) 794-4030 Facsimile: (804) 794-6576

wpowell@ewplg.com

Co-Counsel for Plaintiff

ELIMA DETERE & DALV DA

KLIMA, PETERS & DALY, P.A.

8028 Ritchie Hwy., Suite 300

Pasadena, MD 21122 Phone: (410) 768-2280

bfayman@kpdlawgroup.com

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Low

15/9/31

Miguel Sosa Avila, AKA Miguel A. Sosa Defendant.

CERTIFICATE OF SERVICE

We hereby certify that a true copy of the foregoing Decree was mailed first class, postage prepaid, this 3 day of September 2021, to the following:

MICHELLE IRENE SOSA, Administratrix for the Estate of Juan Manuel Sosa Avila, 253 Beauregard Hts., Hampton, Virginia 23669;

MIGUEL SOSA AVILA, AKA MIGUEL A. SOSA, An Individual, 253 Beauregard Hts. Hampton, VA 23669;

William Adam White, Registered Agent for: SAMUEL I. WHITE, P.C., Trustee, 5040 Corporate Woods Dr, Suite 120, Virginia Beach, VA 23462;

Tina B. McDaniel, Registered Agent for: NECTAR PROJECTS INC., Trustee, 1402 Ribbon Limestone Terrace SE Leesburg, VA 20175;

Howard N. Bierman, Registered Agent for: EQUITY TRUSTEES, LLC Trustee, 2101 Wilson Blvd., Suite 1004, Arlington, VA 22201;

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Corporation Service Company, Registered Agent for: SELECT PORTFOLIO SERVICING, INC., Creditor, 100 Shockoe Slip, 2nd Floor Richmond, VA 23219;

J. Robert Harris, III Hampton Commissioner in Chancery 34 Oueens Way Hampton, VA 23669

Greg Blanchard Special

Commissioner

2210 Executive Dr., Suite A

Hampton, VA 23666

Counsel for Plaintiff.

E. Wayne Powell, Esq. (VSB# 19550)

Powell Law Gr up, PC 14407 Justice Road

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Phone: (804) 794-4030 Facsimile: (804) 794-6576

wpowell@ewplg.com

Co-Counsel for Plaintiff

Brian L. Fayman, Esq. (VSB# 80351)

KLIMA, PETERS & DALY, P.A.

8028 Ritchie Hwy., Suite 300

Pasadena, MD 21122 Phone: (410) 768-2280

bfayman@kpdlawgroup.com

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF HAMPTON

CRUZ ELISA MATILDE DE SOSA,)
AKA ELIZA SOSA,)
Plaintiff,)
v.) Case No.: CL19000496-00
MICHELLE IRENE SOSA,	1
Administratrix for the Estate of	í ·
Juan Manuel Sosa Avila)
and	1
	,
MIGUEL SOSA AVILA,	(
An Individual,	,
and	2
SAMUEL I. WHITE, P.C.,	2
Trustee,	2
and)
NECTAR PROJECTS INC.,)
Trustee,)
and)
EQUITY TRUSTEES, LLC,)
Trustee,)
and)
PRLAP, INC.,)
Trustee,)
and)
MIDLAND FUNDING LLC,)
Judgment Creditor,)
and)
TIDEWATER FAMILY HEALTH)
CENTERS LTD.,)
Judgment Creditor,)
and)
FEDERAL NATIONAL MORTGAGE	j i
ASSOCIATION,	Ś
Creditor,	j
and	j.
BANK OF AMERICA, N.A.,	ý.
Creditor,)
and)
SELECT PORTFOLIO SERVICING,	1
	,
INC.,	,
Creditor, Defendants.	,

MOTION FOR DECREE CONFIRMING COMMISSIONER'S REPORT AND ORDERING SALE

Comes now your Petitioner, Cruz Elisa Matilde De Sosa a/k/a Eliza Sosa, hereinafter (the "Petitioner") by Counsel, and respectfully moves the Court for the entry of the DECREE CONFIRMING COMMISSIONER'S REPORT AND ORDERING SALE, referring the sale of properties identified below to GREG BLANCHARD, Esq. to serve as Special Commissioner.

The report of the Commissioner in Chancery, has been filed for more than sixty

(60) days, and no exceptions have been filed. The properties are subject to the valid and binding

liens set forth in the report of the Commissioner in Chancery, and it further appears that the

rents and profits from the hereinafter described property are not sufficient to satisfy the liens

within a five (5) year period

The Petitioner further moves, that the tracts of land be sold, and that GREG BLANCHARD, Esq. as Special Commissioner of this Court make the sale of the real estate hereinafter described under the direction of the Court in this Cause.

The properties to be sold by GREG BLANCHARD as Special Commissioner, by way of public auction and/or by retaining a real estate agent in order to maximize the sale price of the tracts of land as follows that are situated in the City of Hampton, Virginia, to-wit:

- a. 253 Beauregard Heights, Hampton, Virginia 23669 ("Property 1")
- b. 1269 North King Street, Hampton, Virginia 23669 ("Property 2")
- c. 400 Cedar Drive, Hampton, Virginia 23669 ("Property 3")
- d. 112 Beverly Street, Hampton, Virginia 23669 ("Property 4")
- e. 329 Walnut Street, Hampton, Virginia 23669 ("Property 5")

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f. 431 Walnut Street, Hampton, Virginia 23669 ("Other Property")

The Petitioner also moves that the Special Commissioner report to the Court how he

proceeds under this decree in order to maximize the sale price.

ENTER Judge

DATE:

WE ASK FOR THIS:

Counsel for Plaintiff

E. Wayne Powell, Esq (VSB# 19550)

Powell Law Group, PC 14407 Justice Road

Midlothian, Virginia 23113-6902

Phone: (804) 794-4030 Facsimile: (804) 794-6576 wpowell@ewplg.com

Co-Counsel for Plaintiff

Brian L. Fayman, Esq. (VSB# 80351)

KLIMA, PETERS & DALY, P.A.

8028 Ritchie Hwy., Suite 300

Pasadena, MD 21122 Phone: (410) 768-2280

bfayman@kpdlawgroup.com

SEEN AND

certify that the document to which this authentication is affixed is a true copy of an original record in the Hampton Circuit Court, that I nave the custodia of the record and are the custodia of that record.

Linda Batanel Smith, Gley

Deputy Clerk

Miguel Sosa Avila, AKA Miguel A. Sosa Defendant.

CERTIFICATE OF SERVICE

We hereby certify that a true copy of the foregoing Decree was mailed first class, postage prepaid, this 300 day of September 2021, to the following:

MICHELLE IRENE SOSA, Administratrix for the Estate of Juan Manuel Sosa Avila, 253 Beauregard Hts., Hampton, Virginia 23669;

MIGUEL SOSA AVILA, AKA MIGUEL A. SOSA, An Individual, 253 Beauregard Hts. Hampton, VA 23669;

William Adam White, Registered Agent for: SAMUEL I. WHITE, P.C., Trustee, 5040 Corporate Woods Dr, Suite 120, Virginia Beach, VA 23462;

Tina B. McDaniel, Registered Agent for: NECTAR PROJECTS INC., Trustee, 1402 Ribbon Limestone Terrace SE Leesburg, VA 20175;

Howard N. Bierman, Registered Agent for: EQUITY TRUSTEES, LLC Trustee, 2101 Wilson Blvd., Suite 1004, Arlington, VA 22201;

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Corporation Service Company, Registered Agent for: SELECT PORTFOLIO SERVICING, INC., Creditor, 100 Shockoe Slip, 2nd Floor, Richmond, VA 23219;

J. Robert Harris, III Hampton Commissioner in Chancery 34 Queens Way Hampton, VA 23669

Greg Blanchard Special Commissioner 2210 Executive Dr., Suite A Hampton, VA 23669

Counsel for Plaintiff

By:

E. Wayne Powell, Esq (VSB#

19550)Powell Law Group, PC

14407 Justice Road

Midlothian, Virginia 23113-6902

Phone: (804) 794-4030 Facsimile: (804) 794-6576 wpowell@ewplg.com

Co-Counsel for Plaintiff

By:

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